

Weekly Report

the authoritative reference on Congress

WEEK ENDING MAY 21, 1954

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SMALL BUSINESS

Its Problems And Progress
Under New Administration

OF SPECIAL INTEREST :

SBA LOAN FIGURES
FOR YOUR STATE

INDIANS ON WARPATH?

WHAT CONSTITUENTS ARE
TELLING CONGRESSMEN

CALIFORNIA PRIMARY

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congressional quotes

WHITE HOUSE FEVER

(Excerpts from Senate speeches on a proposed Constitutional amendment (S J Res 44) relating to the composition and jurisdiction of the Supreme Court.)

Ambitious Judges -- "The office of Chief Justice of the United States has often been termed the number-two office in this country...Yet having attained the number-two office...there may well be a desire on the part of persons to seek the number-one office...I do not believe that a man can conscientiously perform the judicial tasks assigned to him if he must ever be mindful of the political complications of the decisions which are presented to him." -- Sen. John Marshall Butler (R Md.), May 10 Senate speech.

Ambitious Generals -- "The proposed amendment (S J Res 44) would prohibit a Justice from becoming a candidate for President or Vice President until five years after he leaves the (Supreme) Court...The assumption, of course, is that a man who is motivated by political ambition is, ipso facto, unable to maintain the detached temperament required of a non-political post and is, therefore, unqualified to discharge the duties of his office...Does not the observation apply equally to other posts, and should we not, in the interest of consistency, apply the same restrictions to all federal judges, to all members of regulatory commissions, to all cabinet members, and, for that matter, to Chiefs of Staff and other five-star generals?" -- Sen. Thomas C. Hennings, Jr. (D Mo.), May 11 Senate speech.

TIME FOR A CHANGE

In Senate Machinery -- "We in this body (the Senate) are having our difficulties because we have steadfastly refused to change our ways to meet the needs. We have failed to invoke cloture; we have failed to eliminate filibustering. We have failed to do anything about our irrelevant, time-consuming speeches...We have failed to meet the tests of the day in our Senatorial programs, and it seems to me we had better modernize this machinery of the Senate...for one day soon the people of America will be demanding a Constitutional Convention or Constitutional amendments to do what we have failed to do ourselves." -- Sen. Robert C. Hendrickson (R N.J.), May 11 Senate speech.

In Senate Investigations -- "The time has come when, if it is to retain its self-respect, the Senate must expedite work on a code of fair procedures

for investigations and adopt such a code at the first opportunity...the Senate cannot much longer duck the responsibility of facing the issues raised in this question of Congressional investigations." -- Sen. Prescott Bush (R Conn.), May 15 speech to the Connecticut Junior Chamber of Commerce.

EDUCATION AND CATASTROPHE

"'Human history,' wrote H. G. Wells in 1920, 'becomes more and more a race between education and catastrophe'...the United States has been suddenly thrust into a position of world leadership...we do not always demonstrate our fitness to assume this role. The proper exercise of this leadership demands a maturity, stability, and unity which...come only with understanding. Such understanding comes only with education...the quality of American education may prove more important than the variety or number of weapons we produce." -- Rep. Peter Frelinghuysen, Jr. (R N.J.).

MELONS AND MORALE

"I have requested the Department of Defense to declare...June and July 'Watermelon Months' and push the consumption of watermelons on defense menus...This...would mean a lot to the...farmers in our eighth Congressional district. I know that a good juicy slice of eighth district watermelon would be helpful to the morale of our...armed forces." -- Rep. D. R. (Billy) Matthews (D Fla.), May 19 newsletter.

"PROVIDING..."

"The population of the United States crossed the 162 million mark early last week. It seems entirely possible the population of this country may reach 175 million by the 1960 census--providing of course, that no atomic or hydrogen bombs are dropped on this fair land of ours." -- Rep. Clarence J. Brown (R Ohio), May 18 newsletter.

FEDERAL SQUATTERS

"If the Administration favors the states shouldering more of the functions of government, it should first do more shouldering of the tax burdens its presence imposes...In Arlington (Va.) alone, Uncle Sam squats on 17-1/2 per cent of the total land area...States like Virginia just can't afford to give free lodging indefinitely to Uncle Sam." -- Rep. Joel T. Broyhill (R Va.), May 10 news release.

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SMALL BUSINESS ADMINISTRATION

**After Slow Start As A Lender, New SBA In Nine Months Approved 261 Loans
For \$16 Million, With 771 Applications For \$48 Million Pending**

"The essence of the American economic system of private enterprise is free competition...The preservation and expansion of such competition is basic not only to the economic well-being but to the security of this Nation. Such security and well-being cannot be realized unless the actual and potential capacity of small businesses is encouraged and developed." So reads the policy clause of the Act establishing the Small Business Administration which became law July 31, 1953.

The Act further declares that the government should assist "the interests of small business concerns in order to preserve free competitive enterprise, to insure that a fair proportion of the total purchases...for the government be placed with small-business enterprises, and to maintain and strengthen the over-all economy of the nation."

SBA'S AUTHORITY

The Small Business Administration thus created took over the small business loans function of the Reconstruction Finance Corporation, whose authority in this field expired 60 days thereafter, and the functions of the Small Defense Plants Administration, formed after Korea, which terminated its work July 31, 1953. William D. Mitchell, small businessman from Colorado, whom President Eisenhower had appointed head of SDPA on June 4, became Administrator of the new agency.

Under present legislation, SBA is set up for two years, (see CQ Almanac, Vol. IX, 1953, pp 428-430) with authority to:

1. Make loans from a revolving fund authorized by Congress to run as high as \$150 million, to small

businesses unable to obtain credit from private sources. (Limit is \$150,000 for one loan.) Loans may be either direct, with all money supplied by SBA, or participation loans, with some money supplied by private sources, and some, either on an immediate or a deferred basis, by SBA.

2. Help small concerns get government contracts, and take up to \$100 million worth of prime contracts from defense procurement agencies for parceling out to small business.

3. Make disaster loans up to a total of \$25 million.

\$55 MILLION APPROPRIATED

The amount actually appropriated for SBA for all of these purposes in fiscal 1954, however, was \$55 million, as compared with the SBA Act authorization of \$275 million for the combined functions of business and disaster loans and letting of prime contracts.

Under its first administrator, the agency, in the words of Sen. Edward J. Thye (R Minn.), Chairman of the Senate Small Business Committee, "failed to get airborne." Up to the time of Mitchell's resignation Oct. 30, 1953, no loans had been approved. Several factors may have been involved in the slow start:

Caution on the part of the new Administration lest there be a repetition of the so-called RFC scandals

Reservations, among some top Administration leaders and supporters, as to the suitability of the lending business as a government function.

RFC Administrator Kenneth Cravens, testifying before the Senate Banking and Currency Committee in 1953 in favor of abolishing the RFC, said, "There is a place in our economy for governmental assistance to small business, provided certain safeguards are established." But without them, "the assistance may be detrimental not only to small business but also to our American system of free enterprise. If loans are made to enterprises which have inferior management, the net result is to subsidize their operation with public funds to the detriment of able and efficient businesses."

SAFETY VALVE

W. Randolph Burgess, Deputy to the Secretary of the Treasury, said, "Under present conditions there should be some single government agency authorized to make loans to small business, acting as a lender of last resort and as a kind of safety valve for the review of exceptional cases...this agency should not compete with other lenders but should support and supplement them."

Secretary of the Treasury George M. Humphrey said, "In theory there should be no difference between lending money to a large business or lending money to a small business. In theory small business should get its money from banks and lending institutions... But in practice...there should be some additional body arranged to assist small business..."

Secretary of Commerce Sinclair Weeks writing to Chairman Jesse P. Wolcott (R Mich.) of the House Banking and Currency Committee, urged reduction in SBA's lending authority as originally proposed, and supported testimony by then Assistant Secretary for Domestic Affairs Craig R. Sheaffer that when existing pressures for government procurement abated, "in the interest of good government organization and economy there should be an integration of this program into a regular continuing agency of government," the Department of Commerce.

(The Secretaries of Treasury and Commerce, together with the Administrator of SBA, form the loan policy board of the agency.)

At these same 1953 hearings, an American Bankers Association representative, William F. Kelly, said, "We believe that there is no need for any government agency at this time to make loans, directly or indirectly, or to guarantee or insure such loans to small business concerns."

THYE, SPARKMAN VIEWS

Testimony by Sen. Thye and his Committee's ranking minority member, John Sparkman (D Ala.), presented a different view. Thye said, "Too often these small businessmen are bidding for the first

time on a war contract...How do they obtain financing to permit them to acquire...the materials for manufacture? How do they convince their local banker that they can do this job?...He must too often deny the loan, if the application is made to him...We need to have...some agency...to assist in granting loans to a worthy small businessman."

Sparkman said, "There is a significant number of small businesses who find themselves unable to get the short- or intermediate-term credit that they need...these companies are often sound, with skilled management, but (their) immediate credit position does not permit banks to regard them as good risks."

S. S. Parsons, chairman of the board, Small Business of America, Inc., said "Some of our larger banks set aside specific amounts of money to loan to small business with its attendant risk at a higher interest rate, and strangely enough over the last two years one of our biggest banks has only used 25 per cent of the money allotted...The loaning officers, the branch managers of these banks, from their training were naturally reluctant to extend credit in many cases where it is a risk loan." He argued for placing small business loans on an insured basis comparable to FHA.

Because of the emphasis placed by Administration leaders on maximum use of private credit facilities, much of Mitchell's initial effort was spent "actively seeking to develop additional and larger sources of private credit for small business through fostering the development of state and local private credit organizations." Mitchell said that, "Through encouraging the formation of these reservoirs of private capital...SBA expects...to bring closer the day when private lending sources can fill most, if not all, of the credit needs of small business." (SBA issued a pamphlet on how to set up such pools.)

LOAN POLICY

The loan policy announced in mid-September indicated preference would be given to applicants engaged in military, defense, or essential civilian activity; direct loans would not be made if participation by banks was available; interest rates would be 6 per cent on direct loans (RFC's rate had been 5 per cent) and be set by the participating bank, at a minimum of 5 per cent, on participation loans.

On Nov. 16, a revised lending policy was announced by the new head of SBA, Wendell B. Barnes, the agency's former general counsel: "Any small business enterprise with a good management record and able to give reasonable assurance of repayment is eligible to apply to SBA for a business loan." SBA's first two loans were approved Nov. 13. By year's end, 25 loans totaling \$1,670,500 had been approved.

During recent weeks, the rate of loan approval has been accelerated: As of April 30, 1954, the new agency had approved 261 business loans totaling \$15,777,000 in 42 states, and Alaska, out of 1,584 applications, totaling \$96,716,000. (See chart, page 632, columns 1-5.)

(These figures do not include rehabilitation loans. The 1953 Act gave SBA authority to designate disaster areas resulting from windstorms, floods and other catastrophes, and to make loans to assist the victims. These loans are not restricted to small businesses. As of April 30, the SBA had received 203 applications totaling \$1,119,853 and had approved 119 loans, for \$516,564. By May 6 it had made \$245,311.78 in disbursements on 60 disaster loans.)

Business loan disbursements have come more slowly. Through April 30, SBA had disbursed \$1,168,634 on 37 loans. All but \$70,000 of this disbursement was on direct loans. By the same date, private agencies concerned in participation loans had paid out \$1,105,523, so that small business in 24 states and Alaska had received a total, from public and private sources, of \$2,274,157 of credit under the SBA loan program. (See chart, page 632 columns 6-8.)

Commenting on the rate of outpayment, Rep. Frank T. Bow (R Ohio) said in the House March 31 that "any one familiar with banking and business operations knows that no prudent businessman takes down money until he needs it. Until such time it is pointless to incur interest charges. To my way of thinking, this would indicate that the number of loans disbursed by the Small Business Administration is not necessarily of consequence in determining whether that agency is doing a good job..." The previous day, March 30, Rep. Wright Patman (D Tex.) had declared that the SBA "has been a great disappointment to date."

Also March 30, Rep. John W. McCormack (D Mass.) noted, "My understanding is that the administrative expenses have been greater than the loans already made." Through March 31, SBA's expenses of this sort totalled \$2,366,000.

PRESIDENT ASKS INCREASE

SBA's roster of personnel was expected to number 525 by June 30, 1954. This compared with 487 in SDPA on June 30, 1953, and with some 1,800 RFC personnel engaged in loan activities.

As of April 30, SBA had pending 771 loan applications totaling \$48,229,000, and was edging near the \$55 million initially appropriated. Accordingly, President Eisenhower April 20 transmitted a request for a supplemental appropriation for fiscal 1955 of \$50 million. The Senate Appropriations Committee

May 14, in approving the Independent Offices appropriations bill (HR 8583) included \$25 million for SBA loans -- half of the supplemental amount requested by the President.

On business loans so far approved by SBA, the interest rate has been six per cent in the majority of cases; there have been a few loans at five per cent and in credit-scarce areas like Texas and Oklahoma and Washington state, a few loans have been made at seven and eight per cent. On disaster loans, mostly in areas visited by tornadoes, rates have been three per cent on rebuilding dwellings, five per cent on restoring business structures.

Experience so far with establishment of private pools of credit for use by small business is shown by a recent SBA survey of activity, from early 1953 to date, among six state development corporations and 22 local organizations. In Massachusetts and Connecticut no loans had been made; in Maine, four loans totaled \$197,375; in New Hampshire, 13 loans totaled \$250,000; the Louisville Industrial Foundation had made 13 loans totaling \$388,755.

Small Business And Defense

SBA and the Senate and House Small Business Committees have tried to provide opportunities for small business to bid on government contracts and receive subcontracts from prime contractors. The recent drop-back in the economy has made a share of the defense dollar seem increasingly important to small producers. At the same time, new factors have increased small contractors' difficulties in obtaining a share of such procurement:

1. Cutbacks in the defense budget have shrunk the dollar value of contracts awarded by the Defense Department from

\$40,736,341,000 in fiscal 1952, to
\$28,570,568,000 in fiscal 1953, to
\$ 4,244,269,000 in the first six months of fiscal 1954.

2. Adoption by the Joint Chiefs of Staff and the National Security Council of the policy of concentrating orders in a sole efficient supplier--for example, the concentration of tank orders in General Motors instead of placement with both General Motors and Chrysler--has tended to diminish the number of subcontractors likely to be used to furnish components.

3. Increased proportion of defense expenditure for procurement of highly technical equipment--like guided missiles--as contrasted with relatively easily produced items--like machine guns or ammunition--has restricted the area suitable for bids by small producers.

CONTRACT PROCEDURE

SBA has not made use of its authority to take prime defense contracts for subletting to small contractors. But the SBA Act provides a procedure for joint determination by SBA officials and government procurement officers under which contracts or parts of contracts can be set aside for bidding by small business, or negotiating authority used so as to give small producers an opportunity to come in. A recent Defense Department directive opened a new area to this type of joint determination: Where formerly procurement in amounts under \$25,000 did not have to be submitted to joint determination, the new directive requires it to start at \$10,000.

Current estimates indicate that some 27 per cent of defense procurement is being placed with small business. The Defense Department defines a business as "small" if it has fewer than 500 employees.

(In addition to SBA's aid to small business in procurement, a five-man Office of Small Business in the Department of Commerce acts as liaison with SBA and provides information on small business opportunities, at home and abroad, and help on increased productivity and development of new lines through publication of data on new patents available without fee, new products and new processes.)

Several additions to SBA's area of activity are currently receiving consideration. In the executive branch, a decision is required by June 30 regarding disposition of the authority to make loans to state and local governments formerly exercised by the RFC; the act establishing SBA vested in the President authority to designate where this function should be located.

Legislation

Republicans seem inclined to leave this matter to the President, but in Congress, a number of Democratic bills pending in both Houses would instruct him as to the disposition of this authority.

HR 8019, introduced by Rep. Courtney Campbell (D Fla.), and HR 8791, introduced by Rep. Samuel W. Yorty (D Calif.) would give SBA authority to make loans to state and local government bodies, and at the same time put SBA on a permanent basis, raise the limit on individual loans from \$150,000 to \$500,000 and abolish the loan policy board on which sit the Secretaries of Treasury and Commerce in order to make SBA a completely independent agency.

A bill (HR 7811) by Rep. Thurmond Chatham (D N.C.) would include sanitary districts among the local agencies eligible for loans.

Sen. Burnet R. Maybank (D S.C.) introduced a bill (S 3066) to put authority to make loans to

governmental agencies in the Housing Administration rather than in SBA.

Sen. Sparkman for himself and Sens. Guy M. Gillette (D Iowa), Hubert H. Humphrey (D Minn.), Lester C. Hunt (D Wyo.), Russell B. Long (D La.) and George Smathers (D Fla.) introduced S 2871, to amend the Small Business Act of 1953 to provide authority to lend to state and local governments, groups of government agencies, public corporations, boards and commissions, and raise both the total funds available to the agency and the limit on its individual loans.

Companion bills, S 3386, introduced by Sens. Lyndon B. Johnson (D Tex.) and Price Daniel (D Tex.), and HR 8933, introduced by Rep. George H. Mahon (D Tex.), would further broaden SBA's authority by giving it power to make loans to small business concerns which have suffered a substantial economic injury as a result of drought. (Regarding these bills, Sen. Thye told CQ he thought the authority of the President to use Executive Office funds, as he is already using them for relief of drought-stricken farmers, was adequate to meet the current situation, but that a sharp eye should be kept on the business situation in areas where towns are largely or wholly dependent on the purchasing power of agriculture. The onset of hard times in these areas does not show up dramatically in over-all indices of business activity, but history shows that recession can start to spiral from the rural business community.)

4 Million Firms

When Rep. William S. Hill (R Colo.), chairman of the Select Committee on Small Business in which the House bill to establish SBA originated, said in the debate, "A vigorous, healthy small business is the best barometer of, and safeguard for, a continued prosperity and security of our nation," he expressed a widely held conviction. Economists and politicians alike subscribe to the importance of giving the man who can produce a better mouse trap a chance to fight his way to the top.

Studies by the Business Structure Division of the Office of Business Economics in the Department of Commerce show the extent to which that fight is a struggle.

Its figures show that the business population of the country is rising--in mid-1953, exclusive of agriculture and the professional services over four million firms were active in all parts of the private economy. The number of U.S. firms at any one time reflects the national population, the extent of division of labor, and purchasing power.

At the turn of the century, there were about 21 businesses for each 1,000 persons. Fifty years later,

population had doubled, and the number of businesses had increased about two-and-one-half times. That made nearly 27 firms per thousand people.

BREAKDOWN BY INDUSTRIES

As of June 30, 1953, the 4,212,400 business concerns in the country were divided among major occupations as follows (figures in thousands):

| | |
|--|---------|
| Mining and quarrying | 37.9 |
| Contract construction | 433.8 |
| Manufacturing | 328.2 |
| Transportation, communication & other public utilities | 185.7 |
| Wholesale trade | 284.8 |
| Retail trade | 1,864.1 |
| Finance, insurance & real estate | 338.0 |
| Service industries | 739.8 |

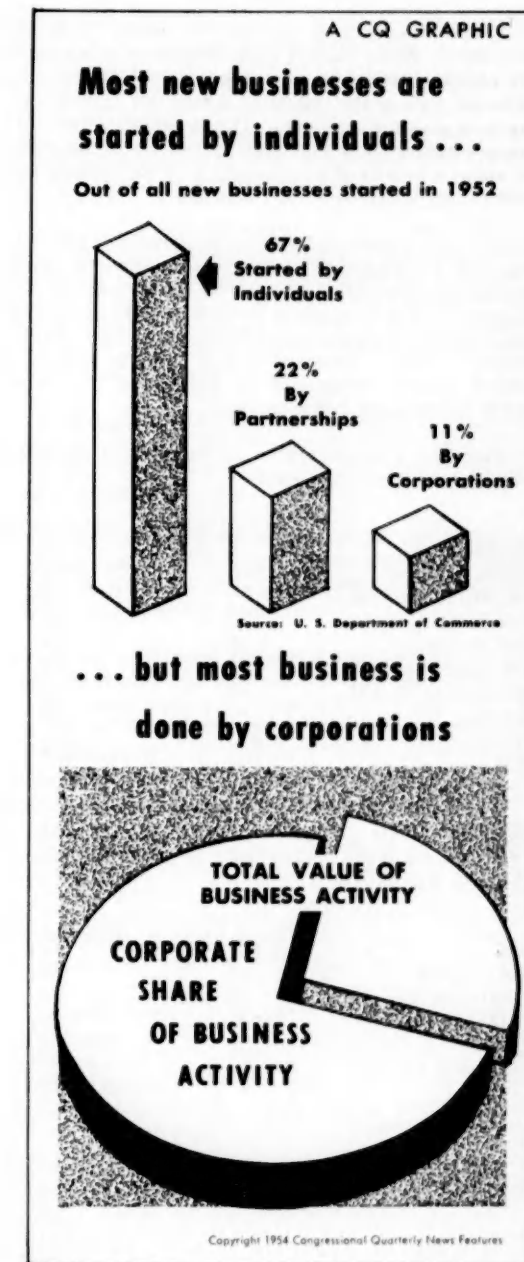
Most businesses are not only small--they are very small. Three fourths of them have fewer than four employees. More than 98 per cent have fewer than 50 employees.

Over-all, business life is brief. On the basis of post-war experience 1944-1951, there was just a 50-50 chance that a newly started or newly acquired firm would last two years under the same management. There was only about one chance in three that it would be in business at the end of four years. But if it survived its infancy, its life expectancy picked up: If it reached age five, its chances of celebrating its sixth birthday were seven out of eight. Of the 4,014 thousand firms operating at the end of 1951, 1,326 thousand had been started or acquired prior to 1944.

The number of firms respond sensitively to current business conditions. It dropped from 25 per 1,000 persons in 1929 to 22 in 1933. It reached 25 again in 1940, but dropped under war-time restrictions to 21.5 in 1943. Then as soon as the war was over, it increased from slightly more than three million firms in mid-1945 to nearly four million firms in 1948, with about half of the increase occurring in 1946. In this expansion, contract construction, wholesale trade and manufacturing were the big leaders. The mild recession of 1949 was reflected in a slowing-up of the growth rate to approximately half of the 50,000-more-firms-a-year average since 1948. In the first half of 1953, the growth rate was higher than 1949, but below other recent years.

REGIONAL PICTURE

The quick response in number of firms to new demand, and the high mortality among businesses when demand slackens, show even more vividly on a regional basis. The newly developed purchasing



power of the Southeast has been a consistent inducement to the formation of new business there since the war, and entry into business between 1949 and 1951, was not offset by a high rate of discontinuances, as was the case in the other very rapidly growing region, the Far West.

Discontinuance, it should be noted, does not necessarily mean failure--the owner of a business may retire, sell out to advantage, or sell because he thinks he will make more as a wage or salary employee in another business. The Department of Commerce studies show that only half of all liquidations and about a fourth of all transfers of businesses are made either to avoid or to cut a loss.

This year new business incorporations and failures are running high. Records compiled by Dun & Bradstreet show 28,590 new businesses and 2,894 failures for the first three months of 1954 as against 27,070 incorporations and 2,077 failures for the same period in 1953. Through May 6, failures this year number 4,129, compared to 3,031 for the same period in 1953 and 2,934 in 1952.

Here is a comparison, by regions, of business failures this year and last:

| | March 1954 | March 1953 |
|--------------------|------------|------------|
| New England | 63 | 57 |
| Middle Atlantic | 386 | 264 |
| East North Central | 165 | 96 |
| West North Central | 39 | 22 |
| South Atlantic | 116 | 44 |
| East South Central | 15 | 23 |
| West South Central | 40 | 32 |
| Mountain | 19 | 23 |
| Pacific | 259 | 178 |
| Total | 1,102 | 739 |

The concentration of failures in firms with relatively small assets is shown when the above totals are classified according to the liabilities of the firms that failed:

| | March 1954 | March 1953 |
|-----------------------|------------|------------|
| Total | 1,102 | 739 |
| Under \$5,000 | 114 | 118 |
| \$5,000-\$25,000 | 558 | 371 |
| \$25,000 to \$100,000 | 296 | 185 |
| \$100,000-\$1,000,000 | 102 | 62 |
| \$1,000,000 and over | 2 | 3 |

SLIPPERY TOP

But if these figures indicate the toughness of competition among firms of relatively small size, it does not follow that competition is not a factor among the giants at the top of the industrial structure. It is true that while most of the new businesses in this country are started by individuals, most of the country's business is done by corporations. But corporate struggle is necessary to hold a top place.

A study of big enterprise in the competitive system, by the Brookings Institution in Washington, compares the membership in the top hundred largest corporations in 1909, 1929, 1935 and 1948. Of the

Storm Aid, How To Weld

Small Business Administration aids to business are varied. Here are some of them, announced over a nine-day period in May:

May 4 -- SBA Administrator Barnes designated 50 counties in Texas, Arkansas, Iowa and Oklahoma and one parish in Louisiana as disaster areas, in which victims were eligible for rehabilitation loans. The occasion was tornado damage to residences and business property.

May 6 -- SBA announced a 25-cent booklet on "selecting, holding and developing" executives. Small businesses need the most help in this, said the booklet. (Available from Government Printing Office.)

May 10 -- Publication of a 50-cent "U. S. Government Purchasing Directory" listing five million items was announced. The 92-page book makes it easy for a businessman to learn what and where the government buys, and who does the buying. (Available from GPO.)

May 12 -- SBA offered free a leaflet on how to weld gray iron castings, number 33 in SBA's series of Technical Aids for Small Business.

hundred firms on the list in 1909, 47 had lost their place to other firms ten years later. Between 1919 and 1929, 16 more of the original list fell out. Three of the 1909 list made a come-back.

By 1935, 17 of the 1929 list lost out, to be replaced by 11 new ones and six come-backs from previous years. The 1948 story showed still more change: 22 corporations on the previous list were missing, replaced by 20 new names and two come-backs. From these figures, Brookings concludes that "the top is a slippery place."

Small Business Committees

In its first annual report in 1950, the Senate Small Business Committee stressed "the freedom of the economic little fellow to enter business at will and to gain or lose thereby. If he prospers, there is added a cubit to our economic stature. If he fails, he can try again...Small business has in recent years, as a result of belated evaluation, become the economic symbol of the American way of life."

The small business committees of the two houses watch economic conditions with an eye to safeguarding this freedom. Since small concerns can not maintain elaborate research facilities, nor representatives in Washington and elsewhere, efforts by public agencies to keep them in touch with latest developments -- in patents, products, markets, distribution methods, such as are made by the Office of Small

Business in the Department of Commerce, and technical advice exercised along with the loan function by the Small Business Administration -- have received bipartisan Congressional support.

One of the continuing efforts of the Congressional committees, is to see that small firms receive a fair share of those procurement orders which their capacities are able to handle. Hearings on specific cases, held by the Senate Small Business Committee, have clarified, and in certain instances served as a basis for change in the procurement policies of the armed services. (The interlocking membership between the Senate Armed Services, Appropriations and Small Business Committees has provided members on the last-named who are thoroughly familiar with Defense Department practices.)

Until recently, the committees also have been preoccupied with seeing that small producers got a fair share of scarce raw materials; with the current easing of supply, that situation has largely taken care of itself.

Continuing inquiry is maintained to prevent development of monopolistic conditions, in which the entry of new firms into an occupation, or the continuance of small firms in the face of large competitors, may become unduly difficult. During the past year, the Senate Small Business Committee has given attention to petroleum marketing practices, problems of independent motion picture exhibitors, operational restrictions on small airlines, difficulties of independent tire dealers. Practices in the distributive trades have also been examined.

Both in the Thyne amendment to the Mutual Security Act, aimed at encouragement of "the efforts of other free countries in fostering private initiative and competition, in discouraging monopolistic practices, in improving the technical efficiency of their industry, agriculture and commerce and in the strengthening of free labor unions," and in supporting the work of the Office of Small Business and the Contact Clearing House of the Foreign Operations Administration, the Senate Small Business Committee has extended its interest in an open field to economic initiative overseas. (For Thyne amendment, see CQ Almanac, Vol. IX, 1953, p. 223.)

Between now and the end of this session of Congress, however, the small business committees are likely to be most active in representing small business in relation to the tax revision bill (HR 8300) passed March 18 by the House and sent to the Senate. Here again, the resources of small business to examine its interests in respect to taxes, and to bring proposals forward for public consideration, are less than those of the country's large firms. Sen. Robert

Business Burgeoning

According to figures compiled by Dun and Bradstreet, the number of new corporations spurred in March, 1954, with a vigor comparable to the jump in new business activity that occurred when returning GI's went into business in 1947.

Incorporations in March, numbering 10,514, were 23.3 per cent higher than in February, when the count showed 8,533 new corporate business ventures under way. The March, 1954, figure compared with 9,659 in March 1953, showing a gain of 8.9 per cent over incorporations in that period of high business activity.

The cumulative total for the first quarter of the present year, at 28,590 new incorporations, was 5.6 per cent higher than for a year ago, when the comparable figure was 27,070.

Only during the first quarter of 1947 has the present incorporation rate been exceeded. That year, 31,470 new corporate ventures got on the road between January and April.

At the same time, business failures are rising. For the first three months of the year, 2,894 businesses went under, as compared with 2,077 during the same period in 1953. In the week ended May 13 of this year, 248 businesses failed, as compared with 198 in the week ending May 14, 1953.

C. Hendrickson (R N.J.), head of the Senate Small Business Tax Subcommittee, planned to present findings regarding the interests of small business when the tax bill comes up on the Senate floor. (For Senate Finance Committee consideration of the tax revision bill, see CQ Weekly Report, p. 617.)

Among issues, the Small Business Committee has given attention to is the impact on small business of the tax bill's depreciation provisions. On the theory that quick tax-write-offs should be allowed only on actual additions to the nation's economy, the bill would make a distinction (not made in the existing law) between purchasers of new equipment, and those who buy equipment reconditioned or second-hand. This would prevent tax write-offs on large property transfers of existing facilities. But it would give an advantage to firms in a financial position to install new equipment as contrasted with firms -- many of them small business -- not able to increase their productivity by replacing an old tool or other facility with a newer one that is nevertheless bought second-hand.

Loans Obtained by Small Business^x Under SBA Loan Program—by States

Cumulative through April 30, 1954

(dollar figures in thousands)

| | APPLICATIONS# | | LOANS APPROVED | | | DISBURSEMENTS | | |
|---------------|---------------|-----------------|----------------|------------------|-------------------|---------------|----------------|----------------|
| | NO. 1 | AMOUNT 2 | NO. 3 | AMOUNT 4 | SBA SHARE 5 | NO. 6 | SBA 7 | PRIVATE 8 |
| Ala. | 36 | \$ 2,457 | 4 | \$ 182 | \$ 165 | 1 | \$ 115 | -- |
| Ariz. | 17 | 1,024 | 4 | 272 | 205 | 1 | 100 | -- |
| Ark. | 37 | 2,136 | 5 | 335 | 324 | - | -- | -- |
| Calif. | 173 | 13,019 | 17 | 1,241 | 1,162 | 3 | 239 | -- |
| Colo. | 12 | 644 | 2 | 215 | 158 | 1 | -- | \$ 15 |
| Conn. | 10 | 700 | - | --- | --- | - | -- | -- |
| Del. | 1 | 125 | - | --- | --- | - | -- | -- |
| D. C. | 5 | 162 | 1 | 40 | 40 | - | -- | -- |
| Fla. | 34 | 1,475 | 5 | 128 | 83 | 1 | 3 | -- |
| Ga. | 84 | 3,853 | 19 | 818 | 682 | 2 | 70 | 70 |
| Idaho | 21 | 950 | 8 | 406 | 311 | - | -- | -- |
| Ill. | 74 | 5,180 | 13 | 581 | 432 | 1 | 20 | -- |
| Ind. | 20 | 1,082 | 4 | 183 | 168 | 2 | -- | 89 |
| Iowa | 27 | 972 | 3 | 210 | 105 | - | -- | -- |
| Kan. | 64 | 3,877 | 8 | 832 | 730 | - | -- | -- |
| Ky. | 25 | 1,482 | 3 | 210 | 190 | 1 | 70 | -- |
| La. | 24 | 1,167 | 3 | 97 | 88 | 1 | -- | 30 |
| Maine | 4 | 251 | 1 | 35 | 35 | 1 | 35 | -- |
| Md. | 13 | 1,190 | 3 | 204 | 198 | 1 | 100 | -- |
| Mass. | 16 | 813 | 4 | 139 | 129 | 1 | 55 | -- |
| Mich. | 34 | 2,157 | 9 | 679 | 604 | 1 | 57 | -- |
| Minn. | 35 | 1,253 | 6 | 168 | 124 | - | -- | -- |
| Miss. | 21 | 1,419 | 5 | 475 | 285 | 1 | -- | 300 |
| Mo. | 35 | 1,968 | 4 | 251 | 250 | - | -- | -- |
| Mont. | 33 | 1,554 | 3 | 103 | 56 | - | -- | -- |
| Neb. | 40 | 2,224 | 4 | 245 | 228 | - | -- | -- |
| Nev. | 3 | 300 | - | --- | --- | - | -- | -- |
| N. J. | 58 | 4,209 | 7 | 489 | 449 | 1 | 100 | -- |
| N. M. | 5 | 388 | - | --- | --- | - | -- | -- |
| N. Y. | 91 | 6,991 | 7 | 612 | 493 | 1 | 73 | -- |
| N. C. | 17 | 1,208 | 3 | 180 | 131 | - | -- | -- |
| N. D. | 6 | 184 | 1 | 8 | 8 | - | -- | -- |
| Ohio | 36 | 2,362 | 10 | 521 | 429 | 2 | 13 | 60 |
| Okla. | 38 | 2,354 | 7 | 682 | 615 | - | -- | -- |
| Ore. | 57 | 3,120 | 14 | 863 | 819 | 1 | -- | 75 |
| Pa. | 68 | 4,905 | 9 | 444 | 395 | 3 | 30 | 200 |
| S. C. | 13 | 548 | 1 | 60 | 45 | - | -- | -- |
| S. D. | 7 | 210 | 3 | 139 | 139 | - | -- | -- |
| Tenn. | 33 | 1,613 | 6 | 188 | 164 | 1 | 25 | -- |
| Texas | 138 | 7,647 | 19 | 1,480 | 1,252 | 3 | 53 | 125 |
| Utah | 4 | 411 | 2 | 258 | 156 | - | -- | -- |
| Va. | 14 | 732 | 3 | 97 | 71 | - | -- | -- |
| Wash. | 48 | 2,922 | 18 | 968 | 810 | 4 | 10 | 97 |
| W. Va. | 9 | 925 | 3 | 250 | 235 | - | -- | -- |
| Wisc. | 19 | 1,080 | 7 | 441 | 351 | 1 | -- | 25 |
| Wyo. | 4 | 81 | 1 | 20 | 13 | - | -- | -- |
| Alaska | 20 | 1,242 | 2 | 28 | 24 | 1 | -- | 20 |
| P. R. | 1 | 150 | - | --- | --- | - | -- | -- |
| TOTALS | 1,584 | \$96,716 | 261 | \$15,777* | \$13,351 | 37 | \$1,169 | \$1,106 |

*Total gross amount approved reflects a reduction of \$1,272,000 from amount requested.

#No loan applications received from New Hampshire, Rhode Island, Vermont.

xChart does not include disaster loans.

Source: SMALL BUSINESS ADMINISTRATION



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"FREEDOM" FOR INDIANS

Would the Indians be getting freedom or would they be getting scalped, under legislation now before Congress?

A raft of pending bills deals with the future of the American Indian. Many of the measures were introduced as a result of a resolution (H Con Res 108) adopted by Congress last year. (For listing of bills dealing with Indians, see p. 636; for Indian lobby filings, see p. 635.)

The resolution declared it was the policy of Congress "as rapidly as possible to make the Indians...subject to the same laws" as other citizens and "end their status as wards of the United States..." (CQ Almanac, Vol. IX, 1953, p. 376).

In compliance with this resolution, the Interior Department prepared a series of bills as a starter, providing for ending federal administration of Indian Affairs in eight tribal jurisdictions covering more than 66,000 Indians in 10 states. Bills introduced since then raised the number of states to 14: California, Florida, Kansas, Montana, Nebraska, New York, Nevada, North and South Dakota, Oregon, Texas, Utah, Washington and Wisconsin.

Federal trusteeship over Indian property and federal responsibilities for such services to these tribes as roads, health and education would also be ended by these bills. "Ample time is allowed, however," said the Interior Department, "for the completion of arrangements under which the Indians would receive customary services from state and local agencies on the same basis as other citizens."

Joint hearings on the bills by the Indian Affairs Subcommittees of the Senate and House Interior and Insular Affairs Committee were begun Feb. 15. (CQ Weekly Report, p. 222.)

EMERGENCY CONFERENCE

Probably the biggest Indian lobby group, the National Congress of American Indians, considered the legislation so critical it called an emergency conference, inviting officers of all tribes in the country.

The Emergency Conference of American Indians on Legislation was convened in Washington, D. C., Feb. 25-28 to "rally an organized protest on a national basis against legislation which, if passed, would endanger the tribal existence of the American Indian people, and to support and develop constructive alternatives..."

Forty-three tribes sent delegates representing 183,000 tribesmen--more than a third of the U.S. Indian population, according to the National Congress of Ameri-

can Indians. Many other tribal organizations sent statements of positions.

The conference was in general agreement on these point, according to NCAI:

The federal government has "certain obligations" to the Indians recognized by treaties. The government should undertake a program of assistance to satisfy these treaties and obligations. Any legislation to terminate obligations of the federal government to the Indians should be taken "only after all possible avenues of assistance have been explored, and then only with the full consent of the Indians affected."

Joseph R. Garry, president of the all-Indian NCAI, has said the Indians do not want or need "emancipation." The only limitations on Indians are in regard to trust property, he said, and this limitation, or protection, they want to maintain. He said Indians fear taxation of their trust property would cause them to lose their land, now in most cases tax free.

The Interior Department, however, announced when it submitted its bills for Congressional consideration that the measures were developed "in consultation with the tribal groups affected and many contain provisions suggested by the groups or by individual tribal members. All contain provisions designed to protect the interests of minors, incompetents and other individual Indians who will need such protection after termination of federal trusteeship."

PRESIDENT'S CREDO

The time for completing the terminal programs varies from two to five years. "Whenever tribal property is involved," says the Interior Department, "the bills provide the Indians with a range of choices concerning its management or disposition. One alternative is transfer of unrestricted title to a corporation or other legal entity organized by the Indians under state law. Another is liquidation of the property and distribution of the proceeds among enrolled tribal members. A third is transfer of the property to a private management trustee, chosen by the tribes."

The Department adds, "If the tribe fails to decide on one of these alternatives within the specified time limit, each of the bills authorizes the Secretary (of Interior) to turn the property over to a private trustee for liquidation and distribution of the proceeds..."

"The bills also provide that the Secretary will help individual Indians owning an undivided interest in trust land to partition or sell the land..."

President Eisenhower has emphasized two principles in Indian affairs. One is consultation with the Indian people; the other is to deal with the Indians as equitably and justly as possible, according to Homer B. Jenkins, acting director, Division of Program, Bureau of Indian Affairs, Interior Department.

Assistant Secretary of Interior Orme Lewis has said, "Federal responsibility for administering the affairs of individual Indian tribes should be terminated as rapidly as the circumstances of each tribe will permit." Political subdivisions, he said, should "assume responsibility for the services customarily enjoyed by non-Indian residents...(and) responsibility for trust properties should be transferred to the Indians themselves..."

The Association of American Indian Affairs, Inc., is set against the termination or withdrawal legislation. Oliver La Farge, an editor of "The American Indian," a publication of the Association, declared in an article of that publication that these bills would wipe out the tribal government and tribal business corporations, end the trust, and terminate Indian rights.

PREDATORY INTERESTS?

If tribal corporate existence is destroyed, says La Farge, "large, predatory interests" will have an easier time gaining control of valuable natural resources of Indian reservations and lands: oil, helium, uranium, fishing areas, timber and grazing lands. NCAI expresses similar views.

The Association of American Indian Affairs is not registered under the Federal Regulation of Lobbying Act. The Association's counsels, Arthur Lazarus, Jr., and Richard Schifter, feel their activities do not fall within the lobby law provisions.

Schifter told CQ the Association is largely an educational organization. The main principle it advocates, according to Schifter, is that the question of assimilation should be left to the Indians. The Association believes it is unwise to enact terminal legislation at this time. Instead, it believes there should be more economic rehabilitation and a gradual transfer of more responsibilities to the Indians while their land is protected.

The Indian Rights Association, of Philadelphia, and the so-called Joint Efforts Group, in addition to NCAI and AAIA, have kept an eye on Indian legislation.

The Joint Efforts Group is composed of about 15 law firms which handle Indians' claims against the government and use the same research staff in digging out facts on claims.

Also many individual law firms represent various tribes, register under the lobby law, and testify on Indian legislation.

The General Federation of Women's Clubs in a recent policy statement said the termination bills "are being pushed through Congress in the face of Indian opposition, and without Indian consent, and without Indian participation at the tribal community level."

While the bills "may affect only certain named tribes," said the Federation, the measures are introduced "to test public reaction and because it is easier to destroy one tribe at a time before attacking the whole

Indian concept of cultural identity and freedom of Indian choice in the ownership of their property under the trustee status of the federal government."

HARRISON OFFERED RESOLUTION

The sponsor of H Con Res 108, which brought the issue of federal withdrawal to a head, is Rep. William H. Harrison (R Wyo.), who last year was Chairman of the House Indian Affairs Subcommittee of the Interior and Insular Affairs Committee. Harrison is now Chairman of a special subcommittee created to study the operation of the Indian Bureau with the ultimate goal of ending its operations.

Harrison does not advocate overnight withdrawal, but he believes the Indians should be integrated as soon as they are ready. The purpose of the Indian Bureau was to "work itself out of work," according to Harrison's secretary, Don W. Shearon, "but it seems to have gone in the other direction with a larger Bureau and more Indians under federal supervision." Harrison thought it was time to make a start toward ending this supervision, Shearon told CQ.

The tribes named in the resolution were those recommended by the Acting Commissioner of Indian Affairs in 1947 as bands eligible for early consideration for terminal legislation.

The National Congress of American Indians and some law firms representing tribes do not oppose all termination bills. Some firms are lobbying for termination in a few cases. Helen L. Peterson, executive director of NCAI, says in certain cases if bills are amended, ending federal administration is justified, but only if the tribes give their consent.

OTHER LEGISLATION

Certain bills other than termination measures also have caused anxiety among members of NCAI and AAIA. Among these are:

HR 4985, to allow an Indian to apply for a decree of competency. NCAI says this measure would "deprive Indians declared competent of the use of Indian schools, hospitals and other special benefits" and encourages them to shake off tribal responsibilities, though it allows them their share of tribal assets.

And S 2515, to liquidate all tribal organizations including disposal of their assets. NCAI says this measure would "wipe out tribal ownership, abolish federal protection (and) destroy Indian communities..."

NCAI is supporting measures to allow Indians to participate in drafting of any legislation affecting their rights and privileges.

The emergency conference held by the NCAI in February also called for revision of Public Law 280, 83rd Congress, which provides that Indians in certain states are subject to state jurisdiction for offenses committed by or against Indians in Indian country.

LOBBYIST REGISTRATIONS

Individuals

Registrant. WALTER LICHTENSTEIN, c/o Gardner and Jones, 105 West Madison St., Chicago, Ill. Filed 5/13/54.

Employer. Gardner and Jones, 105 West Madison St., Chicago, Ill.

Legislative Interest. Opposition to HR 5894 to amend the Trade Agreements Act to increase protection to domestic industry.

Salary and Expenses. \$1,000 per month and out-of-pocket expenses.

Registrant. ROY M. LYNNE, Secretary, National Broiler Association, 77 West Washington St., Chicago, Ill. and JOSEPH WILLIAM KINGHORNE, Washington Representative, NBA, 1365 Iris St., N.W., Washington, D.C. Filed 5/12/54.

Employer. National Broiler Association, 77 West Washington St., Chicago, Ill.

Legislative Interest. "Any legislation that may tend to affect the production and/or marketing of commercial broilers."

Salary and Expenses. Kinghorne to receive \$1,200 per annum plus expenses.

Previous Registrations. Kinghorne filed for same employer (1954). (CQ Weekly Report, p. 573.)

Registrant. ROBERT EMMET RODES, ("exporter-importer"), 34 West 65th St., New York, N.Y. Filed 5/12/54.

Legislative Interest. "Enforcement of U.S. treaties with Morocco, no specific bills."

Expenses. \$1,000.

Previous Registrations. American Legion, Morocco Post No. 1, and American Trade Association of Morocco (1950).

Registrant. RUSSELL SINGER (executive vice president, American Automobile Association), 1712 G St., N.W., Washington, D.C., and FLEMING BOMAR and ROBERT J. BIRD (attorneys), 306 Southern Building, Washington, D.C. Filed 5/10/54.

Employer. American Automobile Association, 1712 G St., N.W., Washington, D.C.

Legislative Interest. To have "the accounting principles in HR 8300 made applicable to taxable years prior to 1954."

Salary and Expenses. "Impossible to estimate."

Previous Registrations. Bird registered for Estate of O. P. Woodward (1953); Symington-Gould Corporation (1953); Eastman Kodak (1953); Massachusetts Indemnity Insurance Company (1953); Remington Rand (1954). (CQ Weekly Report, p. 244.)

Registrant. NOEL T. TWEET, Town House, Kansas City, Kan. Filed 5/10/54.

Employer. Missouri-Arkansas Basins Flood Control Association, Town House, Kansas City, Kan.

Legislative Interest. "Legislation pertaining to flood control and soil conservation."

Salary and Expenses. \$8,400 per annum plus expenses of \$1,000 per annum.

Law And Public Relations

Registrant. PAUL, WEISS, RIFKIND, WHARTON & GARRISON, 1614 I St., N.W., Washington, D.C. Filed 5/10/54.

Employer. The Sixty Trust, Providence, R.I.

Legislative Interest. "To obtain amendment in proposed tax law affecting investments of pension and profit-sharing trusts."

Salary and Expenses. "Nominal disbursements for out-of-pocket expenses only. Rate of compensation: Indeterminate."

Previous Registrations. Gillette Safety Razor Company (1947); Pabco Products (1951).

Registrant. PAUL, WEISS, RIFKIND, WHARTON & GARRISON, 1614 I St., N.W., Washington, D.C. Filed 5/10/54.

Employer. Field Enterprises -- Educational Division, Chicago, Ill.

Legislative Interest. "To obtain change in tax treatment for taxpayers electing to use the installment method of accounting."

Salary and Expenses. "Nominal disbursements for out-of-pocket expenses only. Rate of compensation: Indeterminate."

Previous Registrations. See firm's other registration, above.

Registrant. PAUL, WEISS, RIFKIND, WHARTON & GARRISON, 1614 I St., N.W., Washington, D.C. Filed 5/10/54.

Employer. Field Foundation, Incorporated, Chicago Ill.

Legislative Interest. "To obtain amendment in proposed tax law affecting real estate holdings of charitable organizations."

Salary and Expenses. "Nominal disbursements for out-of-pocket expenses only. Rate of compensation: Indeterminate."

Previous Registrations. See firm's other registrations, above.

FILING FOR INDIANS

Here are individuals, law firms and organizations filing either financial reports or registrations, on behalf of Indians in compliance with the Federal Regulation of Lobbying Act in 1953 or in 1954 up to May:

The law firm of Wilkinson, Boyden, Cragun & Barker filed for the Menominee Tribe; the Southern Ute Tribe, Ignacio, Colo.; Indians of California; Shoshone-Bannock Tribes of Fort Hall Reservation, Idaho; Confederated Bands of Ute Indians, Fort Duchesne, Utah; Arapaho Indian Tribe; Northern Cheyenne Tribe, Tongue River Reservation.

Al Dodge, John Fossum, Antoine Waupochick, Jerome Worden, James Frechette, Monroe Weso, James Caldwell, Allie M. Frechette and Gordon Dickie filed for the Menominee Tribe, Wisconsin.

Frank C. Johnson and Helen Peterson for National Congress of American Indians.

Jesse L. Kirk and Boyd J. Jackson--Klamath Tribe. Norman M. Littell--Navaho Tribe in Arizona, Utah, New Mexico and Colorado.

Ralph H. Case--Sioux Tribe of Cheyenne River Reservation.

Purl Willis--Indians of California.

Fact Sheet

"FREE THE INDIANS" BILLS BEFORE CONGRESS

More than a score of bills now pending before Congress provide for termination of federal supervision over property and individuals of certain Indian tribes and groups in 10 states. The measures involve more than 66,000 Indians.

The bills have been praised as a means of freeing the Indian and have been branded as a step toward "legal annihilation" of the Indian.

Three of the termination bills (S 2670, S 2744 and S 2746) have been reported out of Committee and passed by the Senate with amendments.

Below are listed the so-called termination bills. Also listed are other measures before Congress which pertain to the Indians and Indian affairs.

TERMINATION BILLS

- S 2670 -- Watkins (R Utah), Bennett (R Utah) -- certain Indian groups in Utah.
- HR 7135 -- Laird (R Wis.) -- Menominee tribe.
- S 2750 -- Watkins (R Utah) -- Confederated Salish and Kootenai tribes.
- S 2749 -- Watkins (R Utah) -- Indian groups in California.
- S 2748 -- Watkins (R Utah) -- Turtle Mountain band.
- S 2747 -- Watkins (R Utah) -- Seminole tribe.
- S 2746 -- Watkins (R Utah) -- certain tribes in Western Oregon.
- S 2745 -- Watkins (R Utah) -- Klamath tribe.
- S 2744 -- Watkins (R Utah) -- Alabama and Coushatta tribes.
- S 2743 -- Watkins (R Utah) -- Iowa and Kickapoo tribes, and certain members of the Missouri and Potawatomi tribes.
- HR 7316 -- Miller (R Neb.) -- Turtle Mountain band.
- HR 7317 -- Miller (R Neb.) -- certain tribes in Western Oregon.
- HR 7318 -- Miller (R Neb.) -- Iowa and Kickapoo tribes and certain members of the Missouri and Potawatomi tribes.
- HR 7319 -- Miller (R Neb.) -- Confederated Salish and Kootenai tribes.
- HR 7320 -- Miller (R Neb.) -- Klamath tribe.
- HR 7321 -- Miller (R Neb.) -- Seminole tribe.
- HR 7322 -- Miller (R Neb.) -- Indian groups in California.
- S 2813 -- McCarthy (R Wis.) -- Menominee tribe.
- HR 7552 -- Young (R Nev.) -- Indian groups in Nevada.
- HR 7674 -- Stringfellow (R Utah) -- certain tribes and groups in Utah.
- HR 7981 -- Westland (R Wash.) -- Makah tribe.

OTHER INDIAN BILLS -- SENATE

- S 3043 -- Goldwater (R Ariz.), Chavez (D N.M.) -- Authorize the leasing of restricted Indian lands in Arizona or on the Navaho Reservation in New Mexico.
- S 2898 -- Murray (D Mont.) -- Provide home rule for the Assiniboiné-Sioux tribes of the Fort Peck Reservation, Mont.
- S 2866 -- Butler (R Neb.) -- Provide for distribution of the funds belonging to the Seneca Nation and the Tonawanda band of Senecas. (Partial termination bill.)
- S 2867 -- Butler (R Neb.) -- Provide for capitalization of a treaty annuity paid to the Six Nations of Indians. (Partial termination bill.)
- S 3364 -- Butler (R Neb.) -- Extend time for report to Congress by Secretary of Interior regarding an Indian hospital in New Mexico.
- S 2790 -- Case (R S.D.) -- Require consent of Indian tribes to assumption of jurisdiction by states over civil and criminal actions arising in their territory.
- S 2690 -- Cordon (R Ore.) -- Authorize appropriation for construction of certain public school facilities on the Klamath Indian Reservation in Oregon.
- S 2797 -- Goldwater (R Ariz.) -- Define an Indian for purposes of providing special services to individual Indians.
- S 2838 -- Goldwater (R Ariz.) -- Amend the Act (P.L. 280, 83rd Congress) which confers jurisdiction on California, Minnesota, Nebraska, Oregon and Wisconsin regarding criminal offenses and civil causes of action committed on Indian reservations therein.
- S 2999 -- Kerr (D Okla.) -- Make provision for restriction applicable to Indians of the Five Civilized Tribes of Oklahoma.
- S 2625 -- Murray (D Mont.) -- Same as S 2838, above.
- S 2839 -- Murray (D Mont.) -- Grant oil and gas rights in lands, and authorize Secretary of Interior to issue patents in fee on Fort Peck Indian Reservation, Mont.

- S 2899 -- Murray (D Mont.) -- Establish the Fort Peck Indian Lands Commission.
- S 2932 -- Murray (D Mont.) -- Authorize payment of salaries and expenses of officials of the Fort Peck tribes.
- S 2742 -- Watkins (R Utah) -- Concerns certain payments out of Ute Indian tribal funds.
- S 2869 -- Watkins (R Utah) -- Authorize preparation of rolls of persons of Indian blood whose ancestors were members of certain tribes in Oregon, and provide for distribution of funds arising from certain judgments.
- S 3385 -- Watkins (R Utah), Bennett (R Utah) -- Provide for more effective extension work among Indian tribes and their members.
- S 2811 -- Young (R N.D.) -- Authorize enrolled members of the Three Affiliated Tribes of Fort Berthold Reservation, N.D., to acquire trust interest in tribal lands of the reservation.
- S 2812 -- Young (R N.D.) -- Provide for return to former Indian owners of all oil and gas rights and interests in certain lands.
- S Con Res 73 -- Kerr (D Okla.) -- Express sense of Congress that no bill or resolution affecting the rights or property of an identifiable group of Indians should be considered in either House unless such group has been notified and given reasonable opportunity to be heard.
- S Con Res 76 -- Magnuson (D Wash.) -- Give due notice to Indian tribes by Congressional Committees who have before them legislation affecting Indian rights in order that their views and recommendations may be submitted to the committee.

OTHER INDIAN BILLS -- HOUSE

- HR 7650 -- D'Ewart (R Mont.) -- Provide home rule for the Assiniboiné-Sioux tribes of the Fort Peck Indian Reservation, Mont.
- HR 8130 -- Patten (D Ariz.) -- Authorize the leasing of restricted Indian lands in Arizona or on the Navaho Indian Reservation in N.M.
- HR 7193 -- Metcalf (D Mont.) -- Same as S 2838, above.
- HR 8899 -- Miller (R Neb.) -- Extend time for report to Congress by Secretary of Interior regarding Indian hospital in New Mexico.
- HR 7445 -- Rhodes (R Ariz.) -- Define an Indian for providing special federal services.
- HR 7390 -- Stringfellow (R Utah) -- Concerns certain payments out of Ute Indian tribal funds.
- HR 7679 -- Wharton (R N.Y.) -- Provide for distribution of funds belonging to the Seneca Nation and the Tonawanda band of Senecas. (Partial termination bill.)
- HR 7680 -- Wharton (R N.Y.) -- Provide for the capitalization of a treaty annuity paid to the Six Nations of Indians. (Partial termination bill.)
- HR 8081 -- Holmes (R Wash.) -- Authorize the purchase, sale, and exchange of certain Indian lands on the Yakima Indian Reservation.
- HR 8785 -- Fernandez (D N.M.) -- Concerns New Mexico Indians and criminal and civil offenses. (Amends P.L. 280, 83rd Congress.)
- HR 7772 -- Edmondson (D Okla.) -- Make provisions regarding restrictions applicable to Indians of the Five Civilized Tribes of Okla.
- HR 8982 -- D'Ewart (R Mont.) -- Provide for more effective extension work among Indian tribes and their members.
- HR 7649 -- D'Ewart (R Mont.) -- Establish the Fort Peck Indian Lands Commission.
- HR 7290 -- Coon (R Ore.) -- Authorize appropriation for construction of certain public school facilities on Klamath Indian Reservation at Chiloquin, Oregon.
- HR 7281 -- Burdick (R N.D.) -- Provide for construction and maintenance of a high school for Indian students within exterior boundary of Fort Berthold Reservation.
- HR 7370 -- Berry (R S.D.) -- Require consent of Indian tribes to assumption of jurisdiction by states over civil and criminal actions arising in their territory. (Amends P.L. 280, 83rd Congress.)
- H Con Res 221 -- Edmondson (D Okla.) -- Declare the sense of Congress on the closing of Indian hospitals.
- H Con Res 212 -- Post (D Idaho) -- Express sense of Congress that legislation affecting Indians should be prepared in consultation with the Indians so affected.
- H Con Res 220 -- Metcalf (D Mont.) -- Provide that any identifiable group of American Indians shall be given opportunity to participate in drafting of any proposed legislation which concerns them.



(MAY 14-20)

around the capitol

SEGREGATION RULING

The Supreme Court ruled unanimously May 17 that segregation in public schools was unconstitutional.

The decision, which involved cases dealing with the public schools of South Carolina, Virginia, Kansas, Delaware and the District of Columbia, declared that racial segregation in public schools violated the "equal protection" clause of the Constitution's 14th Amendment and, in the case of the District of Columbia, violated the "due process of law" clause of the Fifth Amendment.

Chief Justice Earl Warren, who read the Court's decision, said the attorneys general of the states involved would be invited to file briefs by Oct. 1 and to appear later to present arguments concerning how much time the states should be allowed to comply with the Court's decision and what method should be used to carry out the Court's decrees.

REACTION

May 17. Gov. James F. Byrnes (D S.C.) said that because the Supreme Court had "time and again" held that the doctrine of separate but equal school facilities was "not violative of the Constitution," he was "shocked to learn that the Court has reversed itself."

Gov. Herman Talmadge (D Ga.) said that the Supreme Court had "blatantly ignored all law and precedent and usurped from the Congress and the people the power to amend the Constitution and from the Congress the authority to make the laws of the land."

Gov. Theodore R. McKeldin (R Md.) said that "Maryland prides itself on being a law-abiding state and I am sure our citizens and officials will accept readily the Supreme Court interpretation of our fundamental law."

Sen. Spessard L. Holland (D Fla.) -- "This is a new law...and it appears to be final." He expressed hope that "patience and moderation" would "prevail" in putting the decision into effect.

Sen. Price Daniel (D Tex.) said he "thoroughly" disagreed with the Court's decision.

Sen. Francis Case (R S.D.) said in a Senate speech that though the decision would create new legislative problems for Congress and the states, it was past due and he applauded it.

Sen. John C. Stennis (D Miss.) said the Supreme Court Justices "abandoned their role as judges of the law and organized themselves into a group of social engineers."

Rep. John Bell Williams (D Miss.) said that "the Supreme Court has thrown the gears of orderly progress in racial relations into reverse."

Sen. Richard B. Russell (D Ga.) called the decision "a flagrant abuse of judicial power."

Sen. Harry Flood Byrd (D Va.) said the decision "instead of promoting the education of our children...will have the opposite effect in many areas of the country," but "whatever is done should be based on our most mature judgment after sober and exhaustive consideration."

Sen. James O. Eastland (D Miss.) "The South will not abide by nor obey this legislative decision by a political court."

Sen. Herbert H. Lehman (D N.Y.) said: "The Court has found the meaning of our Constitution to be identical with the meaning of moral law..."

May 18. Sen. Daniel, in a Senate speech, said no matter how much some disagree with the decision "we must look to the future with patience, wisdom and sound judgment" and "live under the law as it has now been written."

Rep. Adam C. Powell, Jr. (D N.Y.) called the decision "Communism's worst defeat." He said: "This is democracy's shining hour."

TRADE WITH REDS

Sen. Joseph R. McCarthy (R Wis.) charged in a Senate speech May 19 it was "criminal folly" to give economic and military aid to U.S. allies he contended were "shipping the sinews of military and economic strength" to Red China.

McCarthy criticized what he referred to as an agreement reached by Foreign Operations Administrator Harold E. Stassen to allow "American-financed" allies to ship to the Communists supplies the U.S. lists as strategic war materials.

Stassen May 17 submitted his fourth report on East-West trade to Congress. The report advised that the free world could trade with the Soviet bloc on "terms which bring to the free world a net advantage." (For background, see CQ Almanac, Vol. IX, 1953, p. 247.) Stassen said May 19 that it was "fantastic" and "untrue" that weapons of any type were being shipped to Red countries by the US

CONGRESSIONAL BRIEFS

INDO-CHINA

Senate Republican Leader William F. Knowland (R Calif.) said May 16 the U.S. may be forced to send sea and air power to Indo-China if the Chinese Communists enter the fighting on a large scale. But he said it would be a "great mistake" to put U.S. ground forces in the war. Sen. Homer E. Ferguson (R Mich.) said May 16 he would vote against sending troops to Indo-China if it were proposed now.

DEBT LIMIT

Sen. Harry Flood Byrd (D Va.) declared May 14 his opposition to an increase in the national debt limit was as firm as ever despite a statement by a Treasury Department official that Congress must approve a boost. (CQ Almanac, Vol. IX, 1953, p. 407.)

Cross Section Of Constituents

POLLS SHOW UNIFORMITY OF OPINION

Answers to opinion polls conducted by one Senator and 21 Representatives during the past three months show marked similarity on many questions, according to a Congressional Quarterly analysis of the answers reported by Congressmen.

The polls were conducted by Sen. Milton R. Young (R N.D.) and by Representatives from New England, the South, the Middle West and California. All Congressional districts polled are rural or suburban with the exception of a San Francisco district.

Reports from the lone Senatorial poll showed that 52 per cent of North Dakotans answering did not consider the record of the Eisenhower Administration's first year in office as "good." In three other polls, Rep. Oakley Hunter (R Calif.), Rep. Edward J. Bonin (R Pa.) and Rep. Horace Scely-Brown, Jr. (R Conn.) reported 85, 77 and 71 per cent respectively, of those answering approved of the Administration's first-year record.

Districts from various parts of the Nation were polled on Secretary of Agriculture Ezra Taft Benson's farm policy of flexible price supports. Those answering voiced approval ranging from 54 per cent in Rep. J. Harry McGregor's (R Ohio) district (mixed urban and farming) to 95 per cent in Rep. A. S. Herlong, Jr.'s (D Fla.) district (where production of perishable food products is important). Disapproval was reported only in grain-producing North Dakota, where 70 per cent of those questioned opposed the Benson farm policy.

SOCIAL SECURITY EXTENSION

President Eisenhower's proposed extension of social security legislation to include additional population groups not now protected received the approval of a majority of voters replying to questionnaires in North Dakota and 16 Congressional districts, although the majorities in Rep. Alvin M. Bentley's (R Mich.), Rep. Jeffrey P. Hillelson's (R Mo.) and Rep. McGregor's (R Ohio) districts amounted to only 51 per cent. In Rep. Frank T. Bow's (R Ohio) district, 55 per cent answering disapproved, while 38 per cent approved.

Polls of voters in North Dakota and eight districts in California, Indiana, Iowa, New Jersey, New York and Virginia showed general opposition to further tax reductions "until the budget is balanced." Fifty per cent of voters polled in Rep. Shepard J. Crumpacker's (R Ind.) district favored tax reductions "regardless"; 45 per cent opposed.

MCCARTHY PROBES

Opinion surveys conducted by Sen. Young (R N.D.), Rep. Clair Engle (D Calif.) and Rep. Joel T. Broyhill (R

Va.) on Sen. Joseph R. McCarthy's (R Wis.) investigations of subversion in and out of government showed disapproval by 53 per cent of those answering in North Dakota, 67 per cent in California and 49 per cent in Virginia.

On the question, "Do you favor continuance of the Reciprocal Trade Agreements Act?," majorities of those answering in one state and six districts replied affirmatively, although the edge was only 55 per cent in Rep. Thomas E. Martin's (R Iowa) district.

ECONOMIC, MILITARY AID

In only two Congressional districts did reports show a majority of those polled favoring continued economic aid to foreign countries. A majority of those balloting in six out of seven districts approved of continued military aid to those countries.

TAFT-HARTLEY REVISION

On labor questions, a majority of voters responding to polls in six districts in California, Michigan, New Jersey, Pennsylvania and Virginia agreed that the Taft-Hartley law is basically good, but should be amended. All the polls were taken before Senate action May 7 apparently ended the possibility of labor law revision at this session (CQ Weekly Report, p. 611).

Rep. Bentley's (R Mich.) and Rep. Bow's (R Ohio) constituents who answered the polls favored the Bricker amendment (limiting the President's treaty-making powers) by 86 and 53 per cent, respectively. Results of other polls on this question in California, New Jersey and Virginia showed disapproval.

A poll of the New England Council (business leaders) by Congressmen from the six New England States showed that of those answering, 59 per cent approved of expansion of social security, 62 per cent favored United States participation in construction of the St. Lawrence Seaway and 51 per cent favored flexible rather than fixed price supports.

PUBLIC OPINION BAROMETERS?

Many Congressmen have regarded polls as reliable barometers of public opinion in their districts. Senators usually rely less on polls than do Representatives, perhaps because of difficulties in reaching their State-wide constituencies.

Not all questions on a specific subject were phrased alike in the polls reported above. Out of hundreds of questions, Congressional Quarterly has recorded the answers only to those dealing with major issues.

Results Of Congressmen's Polls

(All figures percentages; with "yes" percentage above, "no" percentage below.)

| Issues | | Congressmen (a) | | | | | | | | | | | | | | | | | | | | | | | |
|--|--------|----------------------|------------------|-------------------|-------------------|-----------------------|-------------------|------------------|--------------------|-----------------|-------------------|-------------------|-----------------|------------------------|-------------------|------------------|---------------------|---------------------|--------------|-------------------|---------------|------------------|----------------|-----------------------------|--|
| | | Mailliard (R Calif.) | Engle (D Calif.) | Hunter (R Calif.) | Hosmer (R Calif.) | Seely-Brown (R Conn.) | Campbell (D Fla.) | Herlong (D Fla.) | Crumacker (R Ind.) | Martin (R Iowa) | Bentley (R Mich.) | Hillelson (R Mo.) | Howell (D N.J.) | Frelinghuysen (R N.J.) | Williams (D N.J.) | Widnall (R N.J.) | Wainwright (R N.Y.) | Sen. Young (R N.D.) | Bow (R Ohio) | McGregor (R Ohio) | Bonin (R Pa.) | Broyhill (R Va.) | Byrd (D W.Va.) | New England Congressmen (a) | |
| Should the United States participate in construction of the St. Lawrence Seaway? | Y N | | | 72 6 | | | 83 17 | 86 14 | | 81 19 | | | 84 16 | | 84 11 | 74 26 | | | 86 10 | 68 32 | | | 73 20 | 62 29 | |
| Should the American Communist Party be outlawed? | Y N | | | | 81 13 | | 83 17 | | | | 89 11 | 84 12 | | | | | 77 20 | | | | | 63 28 | | | |
| Do you approve of Sen. McCarthy's method of investigating subversives? | Y N | | 26 67 | 46 44 | 59 29 | | | | | | 79 21 | | | | | 74 26 | | 46 53 | 68 25 | 59 41 | 71 17 | 43 49 | | | |
| Do you favor statehood for Hawaii? | Y N | 78 18 | | 75 18 | | | | | | 83 17 | | | | | | 80 20 | | 77 23 | | | | | | | |
| Should Communist China be admitted to the UN? | Y N | | | 11 85 | 8 84 | | | | | | | | | | | | | | 5 92 | 19 81 | | 10 81 | 8 88 | | |
| Should atomic weapons be used to halt Communist aggression? | Y N | | 41 42 | | 83 8 | | | | | | | 71 11 | 66 34 | | | | 73 15 | | | | | 74 15 | | | |
| Do you favor changing farm price supports from 90% of parity to a flexible system? | Y N | | 56 29 | 76 8 | | | 90 9 | 95 5 | 76 12 | | 78 22 | 74 11 | | | 56 25 | | 84 7 | 30 70 | 70 22 | 54 46 | | 76 13 | 51 18 | | |
| Should social security be extended to groups not now insured? | Y N | 73 19 | | 60 28 | 75 17 | | 80 20 | 73 27 | 71 21 | 77 23 | 51 49 | 51 41 | | | | 85 15 | 62 30 | 82 18 | 38 55 | 51 49 | 76 13 | 71 12 | 59 34 | | |
| Should military aid to other countries be continued? | Y N | 64 25 | | 67 20 | 68 21 | | 68 32 | 48 52 | | | | | | | | 60 40 | | | | | | | 59 36 | | |
| Should economic aid to other countries be continued? | Y N | 44 47 | | 57 29 | | | 39 60 | 34 66 | | | | | | | | 50 50 | | | | | | | 54 39 | | |
| Should taxes be reduced further before the budget is balanced? | Y N | 33 61 | | 26 65 | 17 72 | | | | 50 45 | 28 72 | | | | 20 80 | | 32 68 | 32 67 | 27 73 | | | | 28 67 | | | |
| Do you think 18-year-olds should be given the right to vote? | Y N | | 41 53 | 45 51 | 45 47 | | 33 67 | 36 64 | 42 52 | | | 54 44 | | | | 45 55 | 42 54 | | 46 50 | 70 30 | 37 63 | 43 51 | 54 43 | | |
| Should the Taft-Hartley Act be kept, with reasonable changes? | Y N | 79 15 | | | 81 12 | | | | | | 82 18 | | | 63 37 | | | | | | | 80 9 | 72 17 | | | |
| Are you in favor of the Bricker Amendment in some form? | Y N | | 38 49 | | 28 43 | | | | | | 86 14 | | | | | 47 53 | | | 53 39 | | | 30 56 | | | |
| Is the Eisenhower Administration doing a good job? | Y N | | | 85 8 | | 71 (b) | | | | | | | | | | | | 48 52 | | | 77 19 | | | | |
| Should tariffs be lowered (trade-not-aid)? | Y N | | | | | | | | | 55 45 | 69 31 | | | 74 26 | 84 12 | 90 10 | | 60 40 | | | | 57 7 | | | |

Congressional districts by state:

California: 2nd, 4th, 12th, 18th
Connecticut: 2nd
Florida: 1st, 5th
Indiana: 3rd

Iowa: 1st
Michigan: 8th
Missouri: 4th
New Jersey: 4th, 5th, 6th, 7th
North Dakota: Entire state

New York: 1st
Ohio: 16th, 17th
Pennsylvania: 11th
Virginia: 10th
West Virginia: 6th

(a) Questions were submitted by New England Members of Congress to the New England Council, composed of business leaders in the six New England states.

(b) Figure not available.



(MAY 14-20)

the executive branch

TRADE ACT EXTENSION

President Eisenhower May 20 indicated he would be satisfied with a one-year extension of the Trade Agreements Act, which expires June 12. Previously he had requested a three-year extension. In a letter to Charles H. Percy, president of Bell & Howell Co., Chicago, the President said he favored Congressional hearings on the program early in 1955. "A simple one-year extension will, of course, be required for the interim period," he said. (CQ Weekly Report, p. 414.)

D.C. PUBLIC WORKS

President Eisenhower May 18 signed a bill authorizing a 10-year \$305 million public works program for the District of Columbia. The legislation became Public Law 364. (CQ Weekly Report, p. 612.)

LIFE INSURANCE

President Eisenhower May 19 asked Congress to approve a program of contributory group life insurance for federal civilian employees to help them "carry out their responsibilities to their families."

Under the President's plan:

All civilian employees of the legislative, executive and judicial branches of the government would be protected by a group life insurance policy with coverage approximately equal in amount to one year's salary during active service, prior to age 65, with reduced benefits thereafter.

The amount of coverage would be doubled if the employee should die by accidental means.

Employees retiring on an immediate annuity after 15 years of service would have insurance protection without further cost to them.

Others ending their employment with the government would be able, without medical examination, to convert their group insurance to individual policies at rates applicable to their attained age.

SCHOOL-AID FUNDS

President Eisenhower May 17 asked Congress for an additional \$34.1 million for school construction in federally impacted areas in fiscal 1955. He already had requested \$40 million for this program.

RAILROAD BENEFITS

A Presidential emergency board which had been studying a railroad labor-management disagreement for five months, May 15 recommended granting \$150 million annually in health, vacation and holiday pay benefits to one million railroad employees.

Eisenhower Meets Press

President Eisenhower May 19 told reporters at his 38th news conference he had no intention whatsoever of relaxing or rescinding his secrecy order that led to suspension of the McCarthy-Army hearings (For further details, see page 650.)

The President also:

Said it would be a terrible thing if a Communist dictatorship were established on this continent (commenting on a State Department announcement that arms had been shipped from Communist Poland to Guatemala)

Hoped the Army-McCarthy hearings would resume and continue until the key principals had a chance to bring out all the facts

Said that it might be possible to form a united front against communism in Southeast Asia without the participation of Britain

Declared that a collective arrangement for assuring the security of Southeast Asia was fundamental American policy, and added that only in collective security would it be possible to find a political basis for protecting Southeast Asia

Said he had not the slightest advice for the South on how to carry out the Supreme Court decision holding that segregation of whites and Negroes in public schools was unconstitutional (see page 637), and added that he had sworn to uphold the Constitution and that he intended to do just that

Said his choice of a chairman for the Tennessee Valley Authority board of directors would be announced just as soon as he found a man who was completely non-political, professionally qualified, one who agreed with him on the philosophy of government and whose integrity was beyond reproach.

Involved are the nation's 150 principal railroads and 15 non-operating unions representing yard, clerical, maintenance and construction workers. The board findings are not binding on the parties, but such recommendations made under terms of the Railway Labor Act usually form a basis for settlement.

HYDROGEN BOMB TESTS

A joint Atomic Energy Commission-Defense Department announcement May 14 said the 1954 hydrogen bomb test series at the mid-Pacific proving ground had been completed and "the tests were successful in the development of thermonuclear weapons."

ATOMIC POWER

Robert Lebaron, Chairman of the Pentagon's military liaison committee to the Atomic Energy Commission, May 20 recommended immediate formation of an agency to push an accelerated program for development of peacetime nuclear power.



(MAY 14 - 20)

floor action

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INDEPENDENT OFFICES

Action. Senate May 19 passed by voice vote a \$5,700,775,413 Independent Offices Appropriation bill (HR 8583) for fiscal 1955. The measure now goes to conference to settle differences between the House and Senate versions.

Background. The House passed the bill March 31 with a \$5,566,118,763 money total after considering budget estimates of \$5,929,723,600. (CQ Weekly Report, p. 418.) The Senate Appropriations Committee reported the bill May 14 (S Rept. 1339) with \$5,700,729,413 in appropriations, after considering budget estimates that had been increased to \$5,987,622,360.

Among the supplemental requests sent to Congress after the House had acted on the bill was a \$50 million request for the revolving fund of the Small Business Administration. The Senate unit recommended \$25 million. (For SBA story, see p. 625).

Provisions. As approved by the Senate, the bill carried the following money provisions for the various independent federal agencies in fiscal 1955:

| | |
|---|---------------|
| Executive Office of President | \$ 9,229,700 |
| Advisory Committee on Weather Control | 120,000 |
| American Battle Monuments Commission | 4,275,000 |
| Atomic Energy Commission | 1,232,780,300 |
| Civil Service Commission | 47,952,600 |
| Federal Communications Commission | 7,294,400 |
| Federal Power Commission | 4,150,000 |
| Federal Trade Commission | 4,100,000 |
| General Accounting Office | 31,981,000 |
| General Service Administration | 155,063,300 |
| Housing & Home Finance Agency | 112,818,500 |
| Indian Claims Commission | 117,000 |
| Interstate Commerce Commission | 11,670,000 |
| Potomac Basin Commission | 5,000 |
| National Advisory Committee for Aeronautics | 56,727,750 |
| National Capital Housing Authority | 43,000 |
| National Capital Planning Commission | 688,000 |
| National Science Foundation | 14,000,000 |
| Renegotiation Board | 4,500,000 |
| Securities & Exchange Commission | 4,775,000 |
| Selective Service System | 29,003,063 |
| Small Business Administration | 27,575,000 |
| Smithsonian Institution | 4,300,000 |
| Subversive Activities Control Board | 185,000 |
| Tariff Commission | 1,327,000 |

| | |
|----------------------------|------------------------|
| Tennessee Valley Authority | \$ 129,582,000 |
| U.S. Tax Court | 1,000,000 |
| Veterans' Administration | 3,805,512,800 |
| TOTAL | \$5,700,775,413 |

Largest single item in the bill was \$2,435,000,000 for veterans' compensation and pensions. The Senate bill also included \$70.9 million for the Public Housing Administration but carried no authorization for new public housing starts in fiscal 1955, and did not include the controversial House rider which would ban use of funds for urban redevelopment projects with non-residential features.

Another provision, which had not been included in the House-passed version, would make funds available for treatment of service-connected dental disabilities where the disability was shown to have been in existence at the time of discharge, and where application for treatment was made within one year after discharge or by March 31, 1955, whichever was later.

Debate.

May 18. Senate considered bill briefly. At the request of Sen. Leverett Saltonstall (R Mass.) the Senate gave unanimous consent approval to all Senate Appropriations Committee amendments to the money bill with the stipulation that these provisions were "subject to being reopened for amendment at the request of any Senator."

May 19. Sen. Paul H. Douglas (D Ill.) offered an amendment to strike out the Senate Committee provision of \$7,294,400 for the Federal Communications Commission, and replace that amount with the \$6,544,400 voted by the House for the FCC. Douglas said the additional \$750,000 was to "finance a new program called the frequency-usage monitoring program."

He called the item a "competitive expenditure, apparently, for the purpose of improving our international bargaining position." The Senate decided that since the net effect intended by the Douglas proposal would be accomplished by rejection of the Senate Committee amendment, it would vote on agreement or rejection of the Committee amendment. The Committee's \$7,294,400 was upheld on a 69-6 roll call vote (For voting, see chart, page 646). By subsequent voice votes, the Senate upheld other Senate Committee money provisions when Douglas sought to revert to the House figure.

An amendment offered by Sen. John Sherman Cooper (R Ky.) to appropriate \$141.8 million for the Tennessee Valley Authority instead of the Committee provision for \$129,582,000 was rejected on a 23-56 roll call. Cooper said the Senate should provide the full amount requested by the Administration for TVA and that the \$141.8 million figure itself was "rock bottom." A proposed \$30 million increase in TVA funds for the Fulton steam plant in Tennessee also was rejected.

Amendments Agreed to.

Committee Amendment -- Appropriate \$7,294,400 for salaries and expenses of the Federal Communications Commission. (Sen. Paul H. Douglas, (D Ill.) had moved to strike the Committee amendment and revert to the \$6,544,400 provided by the House.) Roll-call vote, 69-6.

Committee Amendment -- Appropriate \$2 million for the buildings management fund of the General Services

Administration. (Douglas had moved to strike out the provision.) Voice.

Committee Amendment -- Appropriate \$96,460,000 for operating expenses of the Public Buildings Service. (Douglas had moved to restore the \$94,460,000 House provision.) Voice.

Committee Amendment -- Appropriate \$13,066,800 for the general supply fund of the GSA. (Douglas had moved to restore the \$11,066,800 House provision.) Voice.

Committee Amendment -- Appropriate \$52,107,750 for salaries and expenses of the National Advisory Committee for Aeronautics. (Douglas had moved to restore the \$49 million House provision.) Voice.

Leverett Saltonstall (R Mass.) -- Provide that the basic salary of the special counsel for the Housing and Home Finance Agency shall be the same as the basic pay rate for heads of the other federal housing agencies. Voice.

Saltonstall -- Allow use of VA funds in bill for outpatient dental services where dental disability is shown to be service-connected and in existence at the time of discharge and where application for treatment is made within one year after discharge from service or by March 31, 1955, whichever is later. Voice.

John Sherman Cooper (R Ky.) and **Andrew F. Schoepfel** (R Kan.) -- Increase VA general operating expenses by \$46,000 (from \$171,876,300 to \$171,922,300) to increase the number of VA public information officers from 15 to 26. Voice.

Amendments Rejected.

Estes Kefauver (D Tenn.) -- Appropriate \$159,582,000 for the TVA instead of \$129,582,000 proposed by Committee, with the additional \$30 million to be used for construction of the proposed Fulton steam plant. Voice.

Cooper -- (for himself and Sen. Kefauver) Appropriate \$141.8 million for the TVA. Roll call, 23-56.

Douglas -- Increase appropriation for the General Accounting Office by \$500,000 (from \$31,981,000 to \$32,481,000) to enable GAO to make expenditures analyses authorized by the Legislative Reorganization Act of 1946. Voice.

TREASURY-POST OFFICE

Action. House May 19 agreed by voice vote to minor Senate amendments and sent to the White House a bill (HR 7892) appropriating \$3,332,732,700 for the Treasury and Post Office Departments in fiscal 1955. The measure was the first of the fiscal 1955 money bills to clear Congress.

Provisions. The bill carried \$577,855,600 for the Treasury Department and \$2,754,877,100 for the Post Office Department in fiscal 1955. (For details on final provisions, see CQ Weekly Report, p. 612).

Background. The House originally passed the bill Feb. 18 with \$577,855,600 for the Treasury Department and \$2,755,386,000 for the Post Office. The Senate passed the bill May 13 with \$508,900 less for the Post Office Department, and some minor language amendments. The measure did not go to conference, but was sent to the House for approval of the few Senate changes.

EDUCATION CONFERENCE

Action. The House May 19 passed and sent to the Senate a bill (HR 7601) to provide for a White House Conference on Education, to be attended by educators and interested laymen. Passage was by a roll-call vote of 269-69. (For voting chart see page 644. For two related education measures passed by House, see p. 613.)

Debate.

Rep. Samuel K. McConnell, Jr. (R Pa.) said the purpose of the proposed conference was to help solve pressing problems in education.

Opposing the measure, **Rep. W. M. (Don) Wheeler** (D Ga.) said the major purpose of the bill was "the integration of the races in the public schools."

Amendments accepted.

Rep. Adam C. Powell, Jr. (D N.Y.) -- Require the conference to consider and report on education problems before Nov. 30, 1955. Voice vote.

Rep. Joseph F. Holt (R Calif.) -- Request each state to hold a preliminary state education conference, striking out a provision to pay each state a minimum sum to defray the cost of the preliminary meetings. Voice.

FIREWORKS

Action. A bill (HR 116) prohibiting the shipment of fireworks into states that ban their use was passed by the Senate May 18 on a 73-3 roll-call vote (for voting, see chart, page 646).

The House had passed the measure, in slightly different form, on July 20, 1953.

Provisions. As amended by the Senate, the bill would:

Prohibit transportation of fireworks into any state that banned their sale or use.

Set July 1, 1954, as the date on which the ban would take effect.

Exempt common, contract or water carriers from liability.

Permit interstate transportation of fireworks for the use of federal agencies and, during a limited period, for agricultural purposes.

Background. After passage by the House, HR 116 was reported by the Senate Judiciary Committee, July 30, 1953. A hearing on a similar bill (S 2245) was held by the Committee on Jan. 12, 1954. The House bill then was recalled by the Committee and reported again, with amendments (S Rept. 1200), April 14.

Sen. Alexander Wiley (R Wis.), in floor speeches April 19 and 23, asked for speedy action on the bill, saying it was supported by many organizations and opposed only by "the fireworks manufacturers and their lobbyists." (For registrations under the Federal Regulation of Lobbying Act, see American Pyrotechnic Association -- CQ Weekly Report, p. 379, CQ Almanac, Vol. VII, 1951, p. 706, and CQ Almanac, Vol. VIII, 1952, p. 443.)

Debate. Senate debate May 17 and 18 focused on proposed amendments to HR 116. Explaining the bill, Wiley said it was "designed only to supplement present existing state laws." He said 36 states had "comprehensive" measures banning or regulating the use of fireworks but that "bootlegging" from other states and mail-order fireworks made necessary a federal law covering interstate commerce. Only Nevada and Tennessee have no laws regulating fireworks, Wiley said.

An amendment by Johnston to permit individuals to transport fireworks for their own pleasure was defeated by a 12-65 roll-call vote (for voting, see chart, page 646.)

Amendments Agreed To.

(May 17)

Spessard L. Holland (D Fla.) -- Until 60 days after the start of the next session of a state legislature, permit delivery to the state of fireworks used solely for agricultural purposes. (To scare birds from corn and rice fields.) Voice vote.

(May 18)

Francis Case (R S.D.) -- Set July 1, 1954 as the effective date of the bill (an amendment to one offered by Price Daniel, D Tex., on behalf of Pat McCarran, D Nev., and Karl E. Mundt, R S.D., to set Sept. 1, 1954 as the effective date.) Voice.

Alexander Wiley (R Wis.), on behalf of Warren G. Magnuson (D Wash.) -- Exempt commercial shipping from liability under the bill. Voice.

Amendments Rejected. (May 18)

Olin D. Johnston (D S.C.) -- Permit individuals to bring fireworks into a state for their personal use. Roll-call vote, 12-65.

Estes Kefauver (D Tenn.) -- Delete provisions of the bill and prohibit transportation of fireworks into a state for delivery to anyone under 21. Voice vote.

SAVINGS, LOAN BRANCHES

Action. The Senate May 20 passed and sent to the House a bill (S 975) to restrict federal savings and loan associations in establishing branches. Passage was by voice vote. Two amendments were rejected by roll-call votes. (For voting, see chart, page 646.)

Provisions. As passed, S 975 would prevent an association from establishing a branch unless the state law or practice allowed state savings and loan associations or state mutual savings banks to set up branches.

Debate.

Sen. Paul H. Douglas (D Ill.) said the bill would give commercial banks an advantage over federal savings and loan associations and curtail housing credit outlets in new communities.

Amendments rejected.

Douglas -- Allow federal savings and loan branches in any state which permitted branches for any financial institution of any kind. Roll-call vote, 14-58.

Douglas -- Permit branches in any state which authorized branches for commercial banks accepting thrift accounts. Roll-call, 31-39.

FISHERY PRODUCTS

Action. The Senate May 14 passed by voice vote, with amendments, a bill (S 2802) to further encourage the distribution of fishery products in the development of research programs and increased markets.

Provisions. As amended by the Senate, S 2802 would: Make up to \$3 million available to the Department of Interior annually for three years for fishery research

Specify that the funds were to come from the Agriculture Department's fund derived from duties collected on fishery products.

Debate.

Sen. John M. Butler (R Md.) said the bill would help Maryland where "fishing is one of the most important industries."

Roll-Call Voting

There were seven roll-call votes in the Senate and one in the House during the period May 14-20. (For Senate vote chart, see page 646; House vote chart, page 644.)

The Senate May 18 approved 73-3 a bill concerning interstate shipment of fireworks (HR 116) after rejecting 12-65 one amendment. (See story, p. 642.)

The Senate May 19 approved one amendment 69-6 and rejected another 23-56, before passing the Independent Offices Appropriation bill. (See story, p. 641.)

Also by roll-call votes the Senate May 20 rejected an amendment to a Public Land bill (S 2225) (see story, p. 643), and two amendments to a bill (S 975) concerning branches for federal savings and loan associations (see story, p. 643).

The House May 19 by a 269-69 roll call authorized the President to hold a White House education conference (see story, p. 642).

Sen. James H. Duff (R Pa.) urged passage of the measure, saying that it would help correct such situations as the defiling of inland waters. He said that the "Potomac River flowing through the nation's capital" was an example of such pollution.

Amendments Accepted.

Sen. Allen J. Ellender, Sr. (D La.) offered a series of amendments, adopted en bloc, which would:

Terminate the act on June 30, 1957

Limit retransfer of funds to \$1.5 million

Limit the separate fund created to not more than \$3 million in any fiscal year

Require the Secretary of Interior to make an annual report on the use of the fund to the appropriate Congressional committees.

OREGON TIMBER LAND

Action. The Senate May 20 passed a bill (S 2225) to leave administration of 472,000 acres of Oregon timber land in the hands of the Forest Service. Passage was by voice vote.

Amendment rejected.

Sen. Wayne Morse (I Ore.) -- Transfer control of the land to the Department of the Interior. Roll-call vote, 52-18. (For voting, see chart, page 646.)

ELECTIONS PROBE FUND

The Senate May 20 approved by voice vote a resolution (S Res 234) authorizing an additional \$50,000 for the Subcommittee on Privileges and Elections of the Senate Committee on Rules and Administration to investigate any complaints or contests growing out of this year's Senate elections.

CONFIRMATIONS

The Senate has confirmed:

Joseph May Swing of California, Commissioner of Immigration and Naturalization, May 18.

Robert L. Farrington of Oklahoma, Member of the Board of Directors of the Commodity Credit Corporation, May 18.

House Vote: Education Conference

27. White House Education Conference (HR 7601). Authorize the President to hold a conference in Washington, D.C., of educators and prominent laymen on the problems and needs in the field of education. Passage of bill. Passed, 269-69, May 19. (See story, p. 642.)

| TOTAL | | 27 | REPUBLICAN | | 27 | DEMOCRAT | | 27 |
|-----------------------------|-----|----|----------------------------|-----|----|----------------------|----|----|
| YEAS | 269 | | YEAS | 179 | | YEAS | 89 | |
| NAYS | 69 | | NAYS | 4 | | NAYS | 65 | |
| 27 | | | 27 | | | 27 | | |
| ALABAMA | | | DELAWARE | | | FLORIDA | | |
| 3 Andrews (D) | N | | 5 Patterson (R) | Y | | 2 Halleck (R) | Y | |
| 9 Battle (D) | N | | AL Sadlak (R) | Y | | 6 Harden (R) | Y | |
| 1 Boykin (D) | Y | | 2 Seely-Brown (R) | Y | | 10 Harvey (R) | Y | |
| 7 Elliott (D) | Y | | | | | 1 Madden (D) | Y | |
| 2 Grant (D) | X | | AL Warburton (R) | Y | | 8 Merrill (R) | Y | |
| 8 Jones (D) | X | | | | | 9 Wilson (R) | Y | |
| 5 Rains (D) | N | | 2 Bennett (D) | N | | IOWA | | |
| 4 Roberts (D) | ? | | 1 Campbell (D) | Y | | 5 Cunningham (R) | Y | |
| 6 Selden (D) | N | | 7 Haley (D) | Y | | 6 Dolliver (R) | Y | |
| ARIZONA | | | 5 Herlong (D) | Y | | 3 Gross (R) | Y | |
| 2 Patten (D) | Y | | 4 Lantaff (D) | Y | | 8 Hoeven (R) | Y | |
| 1 Rhodes (R) | Y | | 8 Matthews (D) | N | | 7 Jensen (R) | Y | |
| ARKANSAS | | | 6 Rogers (D) | Y | | 4 LeCompte (R) | Y | |
| 1 Gathings (D) | N | | 3 Sikes (D) | N | | 1 Martin (R) | ? | |
| 4 Harris (D) | N | | GEORGIA | | | 2 Talle (R) | Y | |
| 5 Hays (D) | Y | | 10 Brown (D) | N | | KANSAS | | |
| 2 Mills (D) | N | | 4 Camp (D) | X | | 3 George (R) | Y | |
| 6 Norrell (D) | N | | 2 Pilcher (D) | N | | 5 Hope (R) | Y | |
| 3 Trimble (D) | N | | 5 Davis (D) | N | | 1 Miller (D) | Y | |
| CALIFORNIA | | | 3 Forrester (D) | N | | 4 Rees (R) | Y | |
| 7 Allen (R) | Y | | 9 Landrum (D) | N | | 2 Scrivner (R) | ? | |
| 13 Bramblett (R) | Y | | 7 Lanham (D) | N | | 6 Smith (R) | N | |
| 6 Condon (D) | ? | | 1 Preston (D) | N | | KENTUCKY | | |
| 2 Engle (D) | Y | | 6 Vinson (D) | X | | 4 Chelf (D) | ? | |
| 10 Gubser (R) | Y | | 8 Wheeler (D) | N | | 8 Golden (R) | Y | |
| 14 Hagen (D) | Y | | IDAHO | | | 1 Gregory (D) | N | |
| 12 Hunter (R) | Y | | 2 Budge (R) | Y | | 7 Perkins (D) | Y | |
| 11 Johnson (R) | Y | | 1 Post (D) | Y | | 3 Robston (R) | Y | |
| 4 Mailliard (R) | Y | | ILLINOIS | | | 5 Spence (D) | ? | |
| 8 Miller (D) | ? | | 16 Allen (R) | Y | | 6 Watts (D) | N | |
| 3 Moss (D) | Y | | 17 Arends (R) | ? | | 2 Natcher (D) | Y | |
| 29 Phillips (R) | Y | | 25 Bishop (R) | Y | | LOUISIANA | | |
| 1 Scudder (R) | Y | | 19 Chipfield (R) | ? | | 2 Boggs (D) | N | |
| 5 Shelley (D) | Y | | 21 Mack (D) | Y | | 4 Brooks (D) | N | |
| 27 Sheppard (D) | ? | | 15 Mason (R) | N | | 1 Hebert (D) | X | |
| 28 Utt (R) | Y | | 24 Price (D) | Y | | 8 Long (D) | N | |
| 30 Wilson (R) | Y | | 14 Reed (R) | ? | | 6 Morrison (D) | X | |
| 9 Younger (R) | Y | | 20 Simpson (R) | Y | | 5 Passman (D) | N | |
| Los Angeles County | | | 22 Springer (R) | Y | | 7 Thompson (D) | N | |
| 23 Doyle (D) | ? | | 18 Velde (R) | Y | | 3 Willis (D) | N | |
| 21 Hiestand (R) | ✓ | | 23 Vurseil (R) | Y | | MAINE | | |
| 25 Hillings (R) | Y | | Chicago—Cook County | | | 1 Hale (R) | ? | |
| 20 Hinshaw (R) | Y | | 3 Busbey (R) | Y | | 3 McIntire (R) | Y | |
| 19 Hollifield (D) | ? | | 13 Church (R) | Y | | 2 Nelson (R) | Y | |
| 22 Holt (R) | Y | | 1 Dawson (D) | ? | | MARYLAND | | |
| 18 Hosmer (R) | Y | | 8 Gordon (D) | Y | | 2 Devereux (R) | Y | |
| 16 Jackson (R) | ✓ | | 10 Hoffman (R) | ? | | 4 Fallon (D) | N | |
| 17 King (D) | Y | | 12 Jonas (R) | Y | | 7 Friedel (D) | Y | |
| 15 McDonough (R) | Y | | 5 Kluczynski (D) | ? | | 3 Garmatz (D) | Y | |
| 24 Lipscomb (R) | Y | | 4 McVey (R) | Y | | 6 Hyde (R) | Y | |
| 26 Yorty (D) | ? | | 6 O'Brien (D) | ✓ | | 1 Miller (R) | Y | |
| COLORADO | | | 2 O'Hara (D) | ? | | 5 Small (R) | Y | |
| 4 Aspina (D) | Y | | 11 Sheehan (R) | Y | | MASSACHUSETTS | | |
| 3 Chenoweth (R) | Y | | 9 Yates (D) | Y | | 6 Bates (R) | Y | |
| 2 Hill (R) | Y | | 7 Bowler (D) | Y | | 2 Boland (D) | Y | |
| 1 Rogers (D) | Y | | INDIANA | | | 10 Curtis (R) | Y | |
| CONNECTICUT | | | 4 Adair (R) | Y | | 4 Donohue (D) | ? | |
| 3 Cretella (R) | Y | | 5 Beamer (R) | Y | | 8 Goodwin (R) | Y | |
| 1 Dodd (D) | ✓ | | 7 Bray (R) | Y | | 1 Heselton (R) | Y | |
| 4 Morano (R) | Y | | 11 Brownson (R) | Y | | 7 Lane (D) | Y | |
| | | | 3 Crumpacker (R) | Y | | 14 Martin (R) | - | |
| DETROIT—Wayne County | | | | | | MINNESOTA | | |
| 12 McCormack (D) | Y | | | | | 7 Andersen (R) | Y | |
| 9 Nicholson (R) | Y | | | | | 1 Andresen (R) | Y | |
| 11 O'Neill (D) | Y | | | | | 8 Blatnik (D) | Y | |
| 3 Philbin (D) | ? | | | | | 9 Hagen (R) | Y | |
| 5 Rogers (R) | Y | | | | | 5 Judd (R) | ? | |
| 13 Wigglesworth (R) | Y | | | | | 6 Marshall (D) | Y | |
| | | | | | | 4 McCarthy (D) | Y | |
| | | | | | | 2 O'Hara (R) | Y | |
| | | | | | | 3 Wier (D) | Y | |
| | | | | | | MISSISSIPPI | | |
| | | | | | | 1 Abernethy (D) | N | |
| | | | | | | 6 Colmer (D) | N | |
| | | | | | | 3 Smith (D) | N | |
| | | | | | | 2 Whitten (D) | X | |
| | | | | | | 4 Williams (D) | N | |
| | | | | | | 5 Winstead (D) | N | |
| | | | | | | MISSOURI | | |
| | | | | | | 5 Bolling (D) | Y | |
| | | | | | | 9 Cannon (D) | Y | |
| | | | | | | 8 Carnahan (D) | Y | |
| | | | | | | 6 Cole (R) | Y | |
| | | | | | | 2 Curtis (R) | Y | |
| | | | | | | 4 Hillelson (R) | Y | |
| | | | | | | 10 Jones (D) | N | |
| | | | | | | 1 Karsten (D) | Y | |
| | | | | | | 11 Moulder (D) | Y | |
| | | | | | | 7 Short (R) | N | |
| | | | | | | 3 Sullivan (D) | Y | |
| | | | | | | MONTANA | | |
| | | | | | | 2 D'Ewart (R) | Y | |
| | | | | | | 1 Metcalf (D) | Y | |
| | | | | | | NEBRASKA | | |
| | | | | | | 1 Curtis (R) | ? | |
| | | | | | | 3 Harrison (R) | Y | |

RECORD VOTES

FOR: Y (yea) ✓ Announced For, Paired For, CQ Poll For.

AGAINST: N (nay) X Announced Against, Paired Against CQ Poll Against.

NOT RECORDED: ? Absent, General Pair, "Present," Did not announce or answer CQ Poll.

NOT ELIGIBLE: — Not a Member when this vote was taken.
(Also used for Speaker--eligible but usually does not vote.)

DECLARED STANDS

| 27 | 27 | 27 | 27 |
|-----------------------|-----------------------|-----------------------|----------------------|
| 2 Hruska (R) ✓ | 10 Kelly (D) Y | PENNSYLVANIA | 21 Fisher (D) N |
| 4 Miller (R) Y | 9 Keogh (D) Y | 11 Bonin (R) Y | 3 Gentry (D) N |
| NEVADA | 19 Klein (D) Y | 30 Buchanan (D) ? | 13 Ikard (D) N |
| AL Young (R) Y | 4 Latham (R) ? | 17 Bush (R) ? | 20 Kilday (D) N |
| NEW HAMPSHIRE | 13 Multer (D) Y | 10 Carrigg (R) ? | 12 Lucas (D) Y |
| 2 Cotton (R) Y | 16 Powell (D) Y | 29 Corbett (R) Y | 14 Lyle (D) Y |
| 1 Merrow (R) Y | 15 Ray (R) Y | 9 Dague (R) Y | 19 Mahon (D) X |
| NEW JERSEY | 14 Rooney (D) ✓ | 28 Eberhart (D) Y | 1 Patman (D) N |
| 11 Addonizio (D) ✓ | 20 Roosevelt (D) Y | 12 Fenton (R) Y | 11 Poage (D) Y |
| 3 Auchincloss (R) Y | NORTH CAROLINA | 27 Fulton (R) ? | 4 Rayburn (D) Y |
| 8 Canfield (R) Y | 9 Alexander (D) ? | 23 Gavin (R) Y | 16 Regan (D) N |
| 6 Williams (D) Y | 3 Barden (D) ? | 25 Graham (R) ✓ | 18 Rogers (D) N |
| 5 Frelinghuysen (R) Y | 1 Bonner (D) X | 7 James (R) ? | 6 Teague (D) Y |
| 2 Hand (R) ✓ | 7 Carlyle (D) ? | 24 Kearns (R) ? | 8 Thomas (D) N |
| 14 Hart (D) ? | 5 Chatham (D) X | 21 Kelley (D) ? | 9 Thompson (D) Y |
| 4 Howell (D) ✓ | 4 Cooley (D) N | 8 King (R) Y | 10 Thornberry (D) N |
| 12 Kean (R) ✓ | 8 Deane (D) X | 13 McConnell (R) Y | 5 Wilson (D) X |
| 9 Osmer (R) Y | 6 Durham (D) Y | 26 Morgan (D) ? | UTAH |
| 10 Rodino (D) Y | 2 Fountain (D) X | 16 Mumma (R) ? | 2 Dawson (R) Y |
| 13 Sieminski (D) ? | 10 Jonas (R) Y | 14 Rhodes (D) Y | 1 Stringfellow (R) Y |
| 7 Widnall (R) Y | 11 Jones (D) X | 22 Saylor (R) Y | VERMONT |
| 1 Wolverton (R) Y | 12 Shuford (D) X | 18 Simpson (R) ✓ | AL Prouty (R) Y |
| NEW MEXICO | NORTH DAKOTA | 19 Stauffer (R) Y | VIRGINIA |
| AL Dempsey (D) Y | AL Burdick (R) Y | 20 Van Zandt (R) Y | 4 Abbt (D) N |
| AL Fernandez (D) Y | AL Krueger (R) ? | 15 Walter (D) Y | 10 Broyhill (R) Y |
| NEW YORK | OHIO | Philadelphia | 3 Gary (D) N |
| 3 Becker (R) Y | 14 Ayres (R) ? | 1 Barrett (D) ? | 2 Hardy (D) N |
| 37 Cole (R) Y | 23 Bender (R) Y | 3 Byrne (D) Y | 7 Harrison (D) N |
| 2 Derounian (R) Y | 8 Betts (R) Y | 4 Chudoff (D) ? | 6 Poff (R) Y |
| 26 Gamble (R) Y | 22 Bolton, F.P. (R) Y | 2 Granahan (D) ? | 1 Robeson (D) N |
| 27 Gwinn (R) ? | 11 Bolton, O.P. (R) Y | 5 Green (D) ? | 8 Smith (D) N |
| 32 Kearney (R) ? | 16 Bow (R) Y | 6 Scott (R) Y | 5 Tuck (D) N |
| 38 Keating (R) Y | 7 Brown (R) Y | RHODE ISLAND | 9 Wampler (R) Y |
| 33 Kilburn (R) Y | 5 Clevenger (R) Y | 2 Fogarty (D) Y | WASHINGTON |
| 40 Miller (R) Y | 21 Crosser (D) Y | 1 Forand (D) Y | 4 Holmes (R) Y |
| 30 O'Brien (D) ✓ | 20 Feighan (D) Y | SOUTH CAROLINA | 5 Horan (R) Y |
| 39 Ostertag (R) Y | 18 Hays (D) Y | 4 Ashmore (D) N | 3 Mack (R) Y |
| 42 Pillion (R) Y | 2 Hess (R) Y | 3 Dorn (D) N | AL Magnuson (D) Y |
| 41 Radwan (R) Y | 10 Jenkins (R) Y | 6 McMillan (D) N | 1 Pelly (R) Y |
| 43 Reed (R) Y | 19 Kirwan (D) ✓ | 5 Richards (D) X | 6 Tollefson (R) Y |
| 35 Riehlman (R) Y | 4 McCulloch (R) Y | 2 Riley (D) X | 2 Westland (R) Y |
| 28 St. George (R) Y | 17 McGregor (R) ✓ | 1 Rivers (D) N | WEST VIRGINIA |
| 36 Taber (R) N | 6 Polk (D) Y | SOUTH DAKOTA | 3 Bailey (D) Y |
| 31 Taylor (R) ✓ | 9 Reams (I) Y | 2 Berry (R) Y | 6 Byrd (D) Y |
| 1 Wainwright (R) Y | 3 Schenck (R) Y | 1 Lovre (R) Y | 5 Kee (D) Y |
| 29 Wharton (R) Y | 1 Scherer (R) Y | TENNESSEE | 1 Molloy (D) Y |
| 34 Williams (R) Y | 15 Secrest (D) ? | 2 Baker (R) Y | 4 Neal (R) Y |
| New York City | 12 Vorys (R) Y | 8 Cooper (D) N | 2 Staggers (D) ✓ |
| 5 Bosch (R) Y | 13 Weichel (R) ? | 9 Davis (D) ? | WISCONSIN |
| 24 Buckley (D) ✓ | OKLAHOMA | 4 Evins (D) X | 8 Byrnes (R) Y |
| 11 Celler (D) ✓ | 3 Albert (D) Y | 3 Frazier (D) N | 2 Davis (R) Y |
| 17 Coudert (R) Y | 1 Belcher (R) Y | 7 Murray (D) N | 9 Johnson (D) N |
| 7 Delaney (D) Y | 2 Edmondson (D) Y | 5 Priest (D) N | 5 Kersten (R) Y |
| 23 Dollinger (D) Y | 5 Jarman (D) Y | 1 Reece (R) Y | 7 Laird (R) Y |
| 18 Donovan (D) Y | 4 Steed (D) N | 6 Sutton (D) ? | 10 O'Konski (R) Y |
| 12 Dorn (R) Y | 6 Wickersham (D) ? | TEXAS | 1 Smith (R) Y |
| 22 Fine (D) Y | OREGON | 15 Bentsen (D) X | 6 Van Pelt (R) Y |
| 25 Fino (R) Y | 3 Angell (R) Y | 2 Brooks (D) Y | 3 Withrow (R) Y |
| 8 Heller (D) ✓ | 2 Coon (R) Y | 17 Burleson (D) N | 4 Zablocki (D) Y |
| 6 Holtzman (D) Y | 4 Elsworth (R) Y | AL Dies (D) N | WYOMING |
| 21 Javits (R) Y | 1 Norblad (R) Y | 7 Dowdy (D) N | AL Harrison (R) Y |

Senate Votes: Fireworks, Appropriations, Public Lands, Bank Branches

53. Fireworks (HR 116). Prohibit shipment of fireworks into states that ban their use. JOHNSTON (D S.C.) amendment to permit individuals to bring fireworks into a state for their personal use. Rejected, 12-65, May 18. (See story, p. 642.)
54. Fireworks (HR 116). Passage of bill. Passed, 73-3, May 18.
55. Independent Offices Appropriation (HR 8583). Make appropriations for certain agencies in the executive branch of the government for fiscal 1955. (The Appropriations Committee reported \$5,700,729,413 and the Senate increased the amount to \$5,700,775,413.) Committee amendment to appropriate \$7,294,400 for salaries and expenses of the Federal Communications Commission. Agreed to, 69-6, May 19. (See story, p. 641.)
56. Independent Offices Appropriation (HR 8583). COOPER (R Ky.) amendment to appropriate \$141.8 million for the Tennessee Valley Authority instead of the \$129.6 million reported by committee. Rejected, 23-56, May 19.
57. Public Land (S 2225). Grant administrative jurisdiction over certain consolidated national forest lands in Oregon to the

Agriculture Department to be administered by the National Forest Service with revenues going to the Interior Department. MORSE (I Ore.) amendments to grant Interior Department jurisdiction over the lands. Rejected, 18-52, May 20. (See story, p. 643.)

58. Savings and Loan Branches (S 975). Establish a policy with respect to the establishment of branches for federal savings and loan associations and limit the branching privileges of the associations to those enjoyed by state savings and loan associations and mutual savings banks. DOUGLAS (D Ill.) amendments to extend branching privileges to that enjoyed by any financial institution. Rejected, 14-58, May 20. (See story, p. 643.)

59. Savings and Loan Branches (S 975). DOUGLAS (D Ill.) amendments to permit federal savings and loan institutions to have branches in states where commercial banks accepting thrift accounts and engaging in home financing are permitted to have branches. Rejected, 31-39, May 20.

RECORD VOTES

FOR: Y (yea) ✓ Announced For, Paired For, CQ Poll For.
AGAINST: N (nay) X Announced Against, Paired Against, CQ Poll Against.
NOT RECORDED: ? Absent, General Pair, "Present," Did not announce or answer CQ Poll.

NOT ELIGIBLE: — Not a Member when this vote was taken.

DECLARED STANDS

| TOTAL VOTE | | | | | | REPUBLICANS | | | | | | DEMOCRATS | | | | | | | | |
|------------------|----|----|----|----|----|-------------|-----------------|----|----|----|----|-----------|----|----------------|----|----|----|----|----|----|
| YEAS | | | | | | YEAS | | | | | | YEAS | | | | | | | | |
| NAYS | | | | | | NAYS | | | | | | NAYS | | | | | | | | |
| 53 | 54 | 55 | 56 | 57 | 58 | 59 | 53 | 54 | 55 | 56 | 57 | 58 | 59 | 53 | 54 | 55 | 56 | 57 | 58 | 59 |
| ALABAMA | | | | | | | MAINE | | | | | | | OHIO | | | | | | |
| Hill (D) | N | Y | Y | Y | Y | Y | Payne (R) | N | Y | Y | N | N | N | Bricker (R) | ? | ✓ | ? | ? | ? | ? |
| Sparkman (D) | N | Y | Y | Y | Y | Y | Smith (R) | N | Y | Y | N | N | N | Burke (D) | N | Y | N | N | Y | Y |
| ARIZONA | | | | | | | MARYLAND | | | | | | | OKLAHOMA | | | | | | |
| Goldwater (R) | Y | Y | ? | ? | ? | ? | Beall (R) | Y | Y | Y | N | ? | ? | Kerr (D) | ? | ✓ | ? | ? | ? | ? |
| Hayden (D) | ? | ✓ | Y | N | N | N | Butler (R) | Y | Y | Y | N | N | N | Monroney (D) | N | Y | ? | ? | Y | Y |
| ARKANSAS | | | | | | | MASSACHUSETTS | | | | | | | OREGON | | | | | | |
| Fulbright (D) | N | Y | Y | N | Y | N | Kennedy (D) | N | Y | Y | N | N | N | Cordon (R) | N | Y | Y | N | N | Y |
| McClellan (D) | ? | ? | Y | N | ? | ? | Saltonstall (R) | N | Y | Y | N | X | ? | Morse (I) | N | Y | Y | Y | Y | Y |
| CALIFORNIA | | | | | | | MICHIGAN | | | | | | | PENNSYLVANIA | | | | | | |
| Knowland (R) | N | Y | Y | N | X | N | Ferguson (R) | N | Y | Y | N | N | N | Duff (R) | ? | ✓ | Y | N | N | N |
| Kuchel (R) | N | Y | ? | ? | ? | ? | Potter (R) | N | Y | Y | N | N | N | Martin (R) | ? | ✓ | Y | N | N | N |
| COLORADO | | | | | | | MINNESOTA | | | | | | | RHODE ISLAND | | | | | | |
| Johnson (D) | N | Y | Y | N | ? | N | Humphrey (D) | ? | ✓ | ? | ? | ? | ? | Green (D) | N | Y | Y | ? | ? | N |
| Millikin (R) | N | Y | Y | N | N | N | Thye (R) | N | Y | Y | N | N | N | Pastore (D) | N | Y | Y | N | Y | N |
| CONNECTICUT | | | | | | | MISSISSIPPI | | | | | | | SOUTH CAROLINA | | | | | | |
| Bush (R) | N | Y | ? | ? | N | N | Eastland (D) | Y | Y | Y | Y | N | N | Johnston (D) | Y | N | Y | Y | ? | ? |
| Purcell (R) | N | Y | Y | N | N | Y | Stennis (D) | N | Y | Y | Y | N | N | Maybank (D) | Y | Y | Y | N | N | N |
| DELAWARE | | | | | | | MISSOURI | | | | | | | SOUTH DAKOTA | | | | | | |
| Frear (D) | N | Y | N | N | N | N | Hennings (D) | N | Y | Y | N | Y | Y | Case (R) | N | Y | Y | N | N | N |
| Williams (R) | N | Y | N | N | N | N | Symington (D) | N | Y | ? | ? | Y | N | Mundt (R) | N | ✓ | ✓ | N | N | N |
| FLORIDA | | | | | | | MONTANA | | | | | | | TENNESSEE | | | | | | |
| Holland (D) | N | Y | Y | N | N | N | Mansfield (D) | N | Y | Y | Y | Y | ✓ | Gore (D) | N | Y | Y | Y | ? | ? |
| Smathers (D) | N | Y | Y | N | N | N | Murray (D) | Y | Y | N | Y | Y | Y | Kefauver (D) | N | ? | Y | Y | ? | ✓ |
| GEORGIA | | | | | | | NEBRASKA | | | | | | | TEXAS | | | | | | |
| George (D) | ? | ? | Y | N | N | N | Butler (R) | ? | ✓ | ? | ? | N | ? | Daniel (D) | Y | Y | Y | N | N | Y |
| Russell (D) | N | Y | Y | N | ? | N | Bowring (R) | N | Y | Y | Y | X | N | Johnson (D) | Y | Y | Y | N | ? | N |
| IDAHOW | | | | | | | NEVADA | | | | | | | UTAH | | | | | | |
| Dworshak (R) | N | Y | Y | N | N | N | Malone (R) | N | Y | Y | Y | N | N | Bennett (R) | N | Y | Y | N | N | N |
| Weiker (R) | Y | N | Y | ? | N | N | McCarran (D) | ? | ✓ | ? | ? | ? | ? | Watkins (R) | N | Y | Y | Y | N | N |
| ILLINOIS | | | | | | | NEW HAMPSHIRE | | | | | | | VERMONT | | | | | | |
| Dirksen (R) | ? | ✓ | Y | N | N | Y | Bridges (R) | X | ✓ | Y | N | N | ? | Aiken (R) | N | Y | Y | Y | N | N |
| Douglas (D) | N | Y | N | Y | N | Y | Upton (R) | N | Y | Y | N | N | N | Flanders (R) | N | Y | Y | N | X | X |
| INDIANA | | | | | | | NEW JERSEY | | | | | | | VIRGINIA | | | | | | |
| Capehart (R) | N | Y | ? | N | N | N | Hendrickson (R) | N | Y | ? | N | N | N | Byrd (D) | N | Y | Y | N | N | N |
| Jenner (R) | Y | Y | Y | N | N | N | Smith (R) | N | Y | ? | N | N | N | Robertson (D) | N | Y | ? | ? | N | N |
| IOWA | | | | | | | NEW MEXICO | | | | | | | WASHINGTON | | | | | | |
| Gillette (D) | N | Y | Y | N | N | ? | Anderson (D) | ? | ? | ? | ? | ? | ? | Jackson (D) | N | Y | Y | Y | Y | Y |
| Hickenlooper (R) | N | Y | Y | N | N | N | Chavez (D) | ? | ? | ? | N | Y | ? | Magnuson (D) | N | Y | Y | Y | Y | Y |
| KANSAS | | | | | | | NEW YORK | | | | | | | WEST VIRGINIA | | | | | | |
| Carlson (R) | N | Y | Y | N | N | Y | Ives (R) | N | Y | Y | N | N | N | Kilgore (D) | N | ✓ | Y | ? | Y | Y |
| Schoeppel (R) | N | Y | Y | N | N | Y | Lehman (D) | N | Y | ? | Y | ? | ✓ | Neely (D) | N | Y | Y | Y | Y | Y |
| KENTUCKY | | | | | | | NORTH CAROLINA | | | | | | | WISCONSIN | | | | | | |
| Clements (D) | N | Y | ? | Y | ? | N | Vacancy | | | | | | | McCarthy (R) | Y | N | Y | Y | N | X |
| Cooper (R) | N | Y | Y | Y | N | ? | Lennon (D) | ? | ✓ | ? | ? | ? | ? | Wiley (R) | N | Y | Y | Y | X | ? |
| LOUISIANA | | | | | | | NORTH DAKOTA | | | | | | | WYOMING | | | | | | |
| Ellender (D) | ✓ | Y | Y | N | ? | N | Langer (R) | N | Y | Y | Y | Y | N | Barrett (R) | N | Y | Y | N | N | N |
| Long (D) | X | Y | N | N | N | Y | Young (R) | N | Y | Y | N | N | Y | Hunt (D) | ? | ✓ | Y | N | N | ? |



committee roundup

(MAY 14 - 20)

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Committee Assignments

Committee. Senate Finance.

Assignment. Sen. George A. Smathers (D Fla.) was shifted from Committee on Interior and Insular Affairs to Committee on Finance, replacing the late Sen. Clyde R. Hoey (D N.C.) (see CQ Weekly Report, pp. 623, 608). (May 18)

Committee. Senate Agriculture and Forestry.

Assignment. Sen. Hubert H. Humphrey (D Minn.) was shifted from Committee on Government Operations to Committee on Agriculture and Forestry, replacing the late Sen. Hoey. (May 18)

Committee. Senate Government Operations.

Assignment. Sen. Thomas A. Burke (D Ohio) was shifted from Committee on the District of Columbia to Committee on Government Operations. (May 19)

Committee. Senate Interior and Insular Affairs.

Assignment. Sen. Alton A. Lennon (D N.C.) was shifted from Committee on Government Operations to Committee on Interior and Insular Affairs. (May 19)

Committee. House Education and Labor.

Assignment. Chairman Samuel K. McConnell, Jr. (R Pa.) of the Education and Labor Committee May 20 named Reps. Wint Smith (R Kan.), Albert H. Bosch (R N.Y.), Joe Holt (R Calif.), John J. Rhodes (R Ariz.) Graham A. Barden (D N.C.), Wingate H. Lucas (D Tex.), Roy W. Wier (D Minn.) and Howard S. Miller (D Kans.) to serve on a subcommittee to start hearings in June on the handling of labor union welfare funds. McConnell will be chairman of the groups.

Following the naming of the subcommittee members, the House, by voice vote, approved a resolution (H Res 543) to allow the subcommittee \$75,000 to finance the investigation.

Action

LEGISLATIVE-JUDICIARY

Committee. House Appropriations.

Action. May 19 reported (H Rept. 1614) the Legislative-Judiciary Appropriation bill (HR 9203) for fiscal 1955 with recommended appropriations of \$82,305,945 for the two branches of the Federal Government.

Background. In 1953, Congress appropriated \$53,746,968 for the Legislative Branch and \$26,330,520 for the Judiciary for fiscal 1954. Budget estimates for the two branches of government in fiscal 1955 totaled \$87,063,993, with \$58,418,488 for the Legislative Branch and \$28,645,505 for the Judiciary.

Provisions. As it was sent to the House, the bill -- which is the smallest of the regular annual appropriation bills -- carried the following money provisions:

| Legislative Branch | |
|----------------------------|--------------|
| House of Representatives | \$27,424,770 |
| Capitol Police | 40,245 |
| Legislative Counsel | 259,000 |
| House & Senate Pages | 47,280 |
| Miscellaneous | 1,175,700 |
| Architect of the Capitol | 5,315,900 |
| Botanic Garden | 223,100 |
| Library of Congress | 8,915,000 |
| Government Printing Office | 11,325,000 |
| Total, Legislative Branch | \$54,725,995 |

| Judiciary Branch | |
|---|--------------|
| U.S. Supreme Court | \$ 1,502,450 |
| Court of Customs & Patent | |
| Appeals | 206,500 |
| Customs Court | 500,000 |
| Court of Claims | 626,000 |
| Other courts & services | 24,745,000 |
| Total, Judiciary Branch | \$27,579,950 |
| Grand Total, Legislative and Judiciary Branches | \$82,305,945 |

The Committee bill also included the following recommendations: increase the stationery allowance for each Member of the House to \$1,200 per regular session instead of the \$800 provided in the fiscal 1954 bill; allow each Member 2,700 minutes per year of free official long-distance telephone calls; give Members a postage allowance for air mail and special delivery stamps of \$200 a year (this would be in addition to regular free mailing privileges); provide up to \$50 a month for office expenses such as telephone and electricity costs where a Member maintains a separate office in his congressional district (nothing is allowed now); increase to \$15,000 the basic rate per year allowed each Member for clerk hire (instead of \$12,500), with the stipulation that no one employee may draw a base salary of more than \$6,000 a year.

CIVIL FUNCTIONS

Committee. Senate Appropriations.

Action. May 19 reported (S Rept. 1373) the Army Civil Functions Appropriation bill (HR 8367) for fiscal 1955 with a \$484,095,500 money total. This was more than the House voted or the President requested.

Background. Congress had appropriated \$441,593,600 for Army Civil functions in fiscal 1954. President Eisenhower's fiscal 1955 budget called for \$465,160,000. The House passed the civil functions bill March 16 with \$430,983,700 in appropriations. (CQ Weekly Report, pp. 349-50.)

Provisions. As reported to the Senate floor, the bill carried the following appropriations:

| | |
|--|----------------|
| Quartermaster Corps, cemetery expenses | \$ 5,532,700 |
| Corps of Engineers, (rivers, and harbors, and flood control) | |
| General investigations | 3,460,000 |
| Construction | 322,519,800 |
| Operation & maintenance | 79,880,000 |
| General expenses | 9,800,000 |
| Mississippi River and tributaries | 45,700,000 |
| Niagara remedial works | 2,000,000 |
| Panama Canal Zone | 15,203,000 |
| Total | \$ 484,095,500 |

The Senate group also recommended \$5,134,000 for maintenance and operation of the U.S. Soldiers Home. This money is derived from the Soldiers Home permanent fund.

HOUSING BILL

Committee. Senate Banking and Currency.

Action. May 18 began a series of closed-door sessions to consider a companion bill (S 2938) to the House-passed measure (HR 7839) embodying most of President Eisenhower's housing program.

Background. President Eisenhower sent Congress his housing proposals Jan. 25. (CQ Weekly Report, p. 144). The House incorporated most of his program in the "Housing Act of 1954," and passed the bill April 2 without including the Administration-requested authorization for construction starts on 35,000 public housing units a year over a four-year period. (CQ Weekly Report, pp. 451-452.)

Following the Housing and Home Finance Agency charge April 12 that the Federal Housing Administration's home repair loan and emergency rental project programs had been subject to abuses, the Senate Banking and Currency Committee held hearings on the alleged irregularities (CQ Weekly Report, pp. 517-18, 553-4).

On May 17, the FHA sent the Senate Banking unit a set of proposed laws and regulations to eliminate "windfall profits" for builders under FHA programs, and outlaw "fleeing" of home owners who use FHA-insured loans to make home repairs.

Committee amendments.

May 17. Senate Banking and Currency Committee Democrats held a private meeting and agreed to propose a series of amendments designed to plug the loopholes in existing housing laws.

May 18. The Committee voted 12-3 to restore the "full intent" of the Housing Act of 1949 which authorized construction of a total of 810,000 public housing units with a maximum 200,000 starts a year. Senate Committee chairman Homer E. Capehart (R Ind.) said he and Sens. John W. Bricker (R Ohio) and Wallace F. Bennett (R Utah) voted against the public housing provision.

The Committee voted unanimously to write in language to "make it absolutely impossible" for builders of FHA-insured housing to reap "windfall profits" by getting an FHA-insured mortgage loan in excess of the actual cost of construction of the housing project. The provision was intended to compel builders to turn back any part of the loan in excess of 90 per cent of actual building costs, and might require builders to certify actual costs after construction had been completed.

The Senate group also voted unanimously to extend authority of the Veterans' Administration to make direct home loans to veterans, extend the farm housing program, and designate the HHFA to handle public agency loans for community facilities.

May 19. Sen. Capehart said the Committee voted to recommend a new housing program under which the FHA would insure 75 per cent of mortgages on mobile homes (trailers). The maximum insured mortgage loan would be \$6,000, repayable over a five-year period. President Eisenhower did not recommend this program.

The Committee refused to increase to \$3,000 the present \$2,500 ceiling on FHA-insured property improvement loans or to extend to five years the present three-year repayment period on such loans. President Eisenhower had requested the increase and extension.

The group also made the following proposals to eliminate abuses in the home repair loan program: require lenders to take 15 per cent of the risk on every FHA-insured home repair loan made (FHA now insures entire loan up to \$2,500); require lenders to be present when a home-owner signs up for a repair loan; give FHA "specific statutory authority" to suspend dealers and salesman who abuse the home repair program; prevent "improper use" of FHA name by repair dealers or salesmen; prohibit borrowers from getting multiple loans to make sure that no home-owner will have more than \$2,500 outstanding at any one time; make restrictions on the type of improvement for which the FHA could insure a loan.

May 20. The Banking unit agreed to a provision which would permit buyers of homes costing \$6,000 or less with down payments of no more than \$300 to borrow the down payments from a third party who would also act as co-signer on the FHA-insured mortgage.

TAX REVISION

Committee. Senate Finance.

Action. Continued work in closed-door sessions on provisions of the House-passed omnibus tax revision bill (HR 8300). (CQ Weekly Report, p. 617)

Developments.

May 18. The Finance Committee issued a statement detailing provisions tentatively approved, rejected or modified in recent meetings on the tax bill. These were the major Committee decisions, still subject to change:

Artists' income: Agreed with House provision to permit inventors to spread income from inventions evenly over a five-year period instead of the present three years. The Senate group also provided that income from inventions and artistic work could qualify for "spreading back" if earned over a period of 24 months instead of 36 months. The provision would help the inventor or artist who works on an invention, etc. over a period of years and gets paid for it in a single year. The spreading of income permits him to enjoy lower tax rates in many cases.

Partnerships: Delay effective date of most new partnership tax rules to Jan. 1, 1955, instead of the Jan. 1, 1954 date provided by the House. Retain March 9 or 10, 1954 effective date voted by the House for certain loophole closing clauses.

Life Insurance: Agreed with House provision to continue "stop-gap" life insurance company tax for 1954.

Foreign Income: Retain existing law allowing U.S. firms to make deductions on foreign income taxes and

any foreign tax paid "in lieu of" income or profit. The House provision would substitute a new concept of "principal taxes" by foreign governments for which deductions on U.S. taxes could be taken.

Capital Gains: Agreed with the House to retain present laws under which long-term capital gains are taxed at a maximum 25 per cent rate, which is lower than the tax rate on regular income or short-term capital gains, and under which assets must be held six months or longer to qualify as long-term capital gains.

May 19. Sen. Eugene D. Millikin (R Colo.), chairman of the Finance group, confirmed that the Committee had voted to reject two amendments offered by Sen. John J. Williams (R Del.), which would have cut both the 27.5 per cent tax depletion allowance on oil and gas and the 23 per cent depletion allowance on sulphur to 15 per cent. Williams said he would offer both amendments when the bill reaches the Senate floor.

SOCIAL SECURITY

Committee. House Ways and Means.

Action.

Voted tentatively in executive session May 18-20 to bring farm operators, professional people, state and local government employees and other persons under the Federal Old Age and Survivor's Insurance system. The committee May 20 also approved a plan to permit retired workers to earn more income and still keep their social security payments. Other features of the bill (HR 7199) to amend the Social Security Act and Internal Revenue Code are still under consideration.

Provisions.

The committee tentatively approved bringing under social security coverage the following groups (estimated number of persons affected given in parentheses):

Farm operators (3,600,000)

Physicians, lawyers, dentists, architects, public accountants, professional engineers, veterinarians, chiropractors, optometrists, self-employed clergymen and other self-employed professional people. Clergymen not self-employed would be covered at the option of the organization employing them, under certain conditions (500,000)

Domestic workers who receive at least \$50 a quarter from any one employer. (At present, domestics must also have worked 24 days in one quarter for one employer to qualify.)

Homeworkers--persons working at home according to specifications and on materials furnished by another. (Only those homeworkers covered by licensing laws in 15 states are presently eligible.)

State and local government employees covered by their own retirement systems. (Coverage would be optional i.e., the governmental units employing them could request coverage if two-thirds of the employees voted for it. State and local government workers not under public retirement systems of their own are already eligible on an optional basis.) (3,500,000)

Fishermen not presently covered. (30,000)

Internes and student nurses. (25,000)

Certain federal employees.

Self-employed workers would pay a 3 per cent social security tax, as compared to 2 per cent for employees, whose contributions are matched by their employers.

Retired workers making up to \$1,000 a year would receive full social security benefit payments. One month's

social security check would be lost for each \$80 earned above \$1,000. (The law now forbids monthly payments in any month in which a person under 75 earns \$75 or more in employment covered by the system.) The plan would affect more than a million aged workers.

Background. For details of President Eisenhower's social security program, see CQ Weekly Report, pp.568-69.

CONSTITUTIONAL AMENDMENT

Committee. Constitutional Amendments Subcommittee of the Senate Judiciary.

Action. Approved a resolution (S J Res. 155) to amend the Constitution of the United States to provide for a term of four years for members of the House of Representatives and to provide for the holding of Congressional elections every two years.

Testimony.

Rep. Wright Patman (D Tex.) testified in opposition to the measure, saying it would tend to remove government from the direct control of the people.

Sen. **Francis Case** (R S.D.), sponsor of the resolution, said he had no intention of bringing the proposed amendment before the Senate this year because he thought it would be unfair in view of the coming elections. He asked Chairman **William Langer** (R N.D.) for quick approval of the proposed amendment "solely for the purpose of bringing it before the people" for discussion and study.

COLORADO DAM PROJECT

Committee. House Interior.

Action. May 18 ordered reported a bill (HR 4449) authorizing a billion dollar program involving development of the upper Colorado river project. Committee approval of the bill was on 13-12 vote.

Reports

GOVERNMENT OPERATIONS

Committee. House Government Operations.

Action. May 19 adopted three reports from subcommittees as follows:

Subcommittee on Intergovernmental Relations: Part two of a report on government in business, the first part of which (H Rept. 1197) was issued by the subcommittee Feb. 9 (CQ Weekly Report, pp. 189, 475.) The May 19 report called on the Navy to curtail its own paint manufacturing operations and buy more paint from private industry.

Subcommittee on Military Operations: A report on military procurement of blood shipping containers which asked the Justice Department to investigate "possible fraud" in a million-dollar contract awarded two years ago to the Bailey Engineering Company, Ramsey, N.J.

Subcommittee on International Operations: A report on "Foreign Service and Departmental Personnel Practices of Department of State."

SMALL BUSINESS ADMINISTRATION

Committee. House Small Business.

Action. Issued a report May 20 on the Small Business Administration, and released testimony by SBA Administrator **Wendell B. Barnes**.

Findings. The report said there was "considerable dissatisfaction and resentment in Congress and throughout the nation" over delays in handling loan requests. It declared the small-business share of prime defense contracts had decreased while the portion going to large corporations continued to grow. The report concluded that SBA "is not as yet achieving its potential effectiveness and is not fully carrying out the intent of Congress." (For further detail on small business, see page 625.)

Hearings

ARMY-McCARTHY

Committee. Permanent Investigations Subcommittee, Government Operations.

Continued hearings on charges that Chairman Joseph R. McCarthy (R Wis.), counsel Roy M. Cohn, and executive director Francis P. Carr improperly sought preferential Army treatment for Pvt. G. David Schine, who was an unpaid Subcommittee consultant before his induction; and McCarthy's counter-charges that the Army tried to "blackmail" him into dropping his probe of Communist infiltration of the Army. (CQ Weekly Report pp. 618-19.)

Proceedings.

May 14. John G. Adams, Army counselor:

Declined to answer Sen. Stuart Symington's (D Mo.) question about the role played by Henry Cabot Lodge, Jr., U.S. Representative to the United Nations, during a Jan. 21 Justice Department conference at which Sherman Adams, Assistant to the President, suggested that John Adams prepare a report on the Schine affair.

Joseph N. Welch, Army special counsel:

Said Adams had been ordered by the "executive department" to withhold testimony on the conference.

Sen. John L. McClellan (D Ark.):

Said he would insist, unless a legal prescription could be cited, that witnesses be subpoenaed to produce information about the conference.

McClellan's general position was supported by Acting Chairman Karl E. Mundt (R S.D.), who said the Subcommittee was entitled to information about the conference, especially since John Adams had introduced the matter into the investigation.)

Mundt, Sen. Everett McKinley Dirksen (R Ill.), and Sen. Charles E. Potter (R Mich.), testifying under oath:

Said they were asked Jan. 22, the day after the Justice Department conference, to help block subpoenas of Army loyalty review board members.

(John Adams approached Mundt; Dirksen's contacts were Adams and Gerald D. Morgan, Presidential administrative assistant; Potter talked to Lewis E. Berry, Jr., Army deputy counselor)

Said complaints of pressure in behalf of Schine were mentioned, but were not entirely consistent or specific about whether or not the Army indicated a derogatory report on Cohn and/or Schine would be released if the subpoenas were not blocked (Potter was specific in saying that Berry did not "threaten")

(Dirksen blocked issuance of the subpoenas)

Agreed that McCarthy said at a Jan. 23 meeting that he could not be "threatened" or "blackmailed."

John Adams:

Conceded that McCarthy began pressing for testimony by loyalty board members before the Schine affair arose, but said Cohn and Carr had told him the Senator would not follow through

Said he considered the eventual "ultimatum" demanding testimony by loyalty board members was the "culmination" of "threats" he said Cohn used to support his demands in behalf of Schine

Said the Army would not have objected to testimony by individual loyalty board members on alleged "personal misconduct," but opposed issuance of subpoenas to all members for testimony on their quasi-judicial loyalty actions

Denied threatening release of a derogatory report on Cohn unless the subpoenas were blocked

Classified Carr as a "co-participant" and "agent" in the Schine affair until March 12, but conceded that he could not charge Carr with "improper" action before that date

Refused to withdraw his charges against Carr, basing his case mainly on the fact that Carr joined McCarthy and Cohn in signing the March 12 charges against the Army, which Adams called "false"

Conceded that he accepted Cohn's "hospitality" and friendship during the period when Cohn, according to the charges, was applying pressure and abuse.

Mundt:

Told reporters the Army should retract charges against Carr at least for any actions before March 12

Announced that a formula had been found for deleting security information from telephone transcripts.

May 17. The Subcommittee:

Received copies of President Eisenhower's order to Secretary of Defense Charles E. Wilson, in which he forbade testimony about the Jan. 21 conference, accompanied by a supporting memorandum of precedents from Attorney General Herbert Brownell, Jr.

(The order was based generally on the premise that "in the public interest," members of the executive branch must feel free to consult and advise candidly without the prospect of public inquiry into such confidential and "candid" give-and-take)

(Brownell's memorandum cited precedents, from Presidents Washington through Truman, to support executive refusal of information to Congress)

(The President said he was not restricting testimony concerning direct communication among "principals" in the controversy)

(See pp. A-103-A-106 for texts of order and memorandum)

Received a letter from Brownell in which the Attorney General refused to sanction release of any part of an extract -- offered by McCarthy as evidence of infiltration of the Army -- of a classified FBI memorandum

(Brownell wrote that his Department was considering "possible violations of the criminal law" in connection with the unauthorized extract)

Voted, 4-3, to recess the hearings to May 24, to permit attempts to get the President to revoke or modify his order

(The vote on Dirksen's recess motion was on straight party lines; the Subcommittee first rejected, 5-2, Sen. Henry M. Jackson's (D Wash.) substitute motion to recess only to May 19, with Symington joining the four Republicans in opposition)

Reactions to President's order, comments on recess:

McCarthy and the three Democrats led criticism of the President's prohibition of testimony on details of the Jan. 21 conference, declaring that the order would exclude evidence essential to fixing responsibility for the Army's charges and to evaluating motives

McCarthy, charging that the order imposed an "iron curtain" and a "cover-up," said "it would be impossible to present our case if the order is not rescinded"; suggested that he may have perpetrated "an injustice" by assuming that John Adams and Assistant Secretary of Defense H. Struve Hensel were responsible for the Army's charges; and complained that Brownell -- who participated in the Jan. 21 conference -- would have a voice in deciding on any perjury prosecution stemming from the hearings

McCarthy, however, promised to "stay with the hearings"

McClellan drew from John Adams the statement that Army officials acted on their own responsibility before the Jan. 21 conference, but was unable to determine when and if "the responsibility" for the Army's charges "shifted...to higher levels..."

McClellan said failure to modify the President's order would mean "these hearings are terminated," and called the order a "serious mistake"

Symington opposed the recess as a "flagrant denial of fairness and justice," a "transparent device" to prevent McCarthy's testimony, and "the first step of a possible whitewash"

Mundt denied that the recess implied "a discontinuation" of the hearings.

McCarthy:

Said he did not feel bound by Brownell's prohibition against release of the extract of the FBI memo, and urged the Subcommittee to decide for itself whether or not any portions should be made public, but **Mundt** said he considered Brownell's ruling final.

McClellan:

Said the hearings should continue even without detailed information on the Jan. 21 conference.

McCarthy:

Said "we can't possibly resume the hearings unless we are allowed to get the facts," but declined to "speculate" on whether or not he would refuse to participate.

May 19. President Eisenhower:

Said he had "no intention whatsoever of relaxing or rescinding the order" restricting testimony

Said he was "astonished" by "allegations...that (his) order could...be used, as a reason or excuse for calling off hearings..."

Said he had issued the order to try "to keep it (the investigation) on the rails," rather than permitting "a long sidetrack..."

Said the probe should continue until the facts are developed -- "...let's get the facts out and then let's go on with the important business..."

Said the Jan. 21 conference was held so that the Army could be advised on a matter -- testimony by members of the loyalty board -- governed by an executive order

Said there was nothing to intimate that responsibility for the Army's charges passed from Stevens to a higher level at the conference

Said the White House had not okayed the Army's charges.

Secretary of the Army Robert T. Stevens:

Issued a statement that the Army's decisions and actions in the controversy were the Army's sole responsibility; that no orders had been received concerning preparation of the case; that "no meeting or conference influenced my decision to protest and fight..."; that the Jan. 21 conference "was only for...obtaining an interpretation of existing directives."

McClellan:

Said "we can proceed (with the hearings) in order" if Stevens' statement is repeated under oath.

McCarthy:

Said "I just don't want to go ahead with a stacked deck...I'm sort of at a loss to know what course to take."

Mundt:

Said the hearings would be resumed May 24

Said Brownell believed the President's order would permit use of transcripts of phone conversations between members of the executive branch and others, but not within the executive branch

May 20. The Subcommittee, in closed session:

Decided to call Stevens to the witness stand May 24 to repeat under oath, subject to cross-examination, his statement about Army responsibility for the charges.

SCHOOL CONSTRUCTION

Committee. Subcommittee on Education of the Senate Labor and Public Welfare.

Continued Hearings on S 359, S 2601 and S 2779, all pertaining to federal aid to school construction. (CQ Weekly Report, p. 621.)

Testimony.

May 13. Mrs. Edward R. Gray, National Congress of Parents and Teachers, said "dog kennels, chicken houses and abandoned laundries" were being used to house school children. Calling the situation "deplorable," Mrs. Gray asked the Subcommittee to agree on measures providing "emergency" federal help to school construction.

May 17. Wilson C. Raver, executive secretary, Maryland State Teachers Association, said Maryland was forced to teach 76,109 of its 409,570 public school pupils in makeshift classrooms or in such quarters as converted garages. Raver said the problem of classroom space shortages in Maryland was getting progressively worse and that in the next six years Maryland "must build new schools fast enough to provide almost 1,000 additional classrooms each year until 1960."

May 18. Sen. Earle C. Clements (D Ky.) said the May 17 Supreme Court decision outlawing racial segregation in public schools (see p. 637) may make federal aid in building schools "even more imperative." Clements said this would be true "particularly in those areas where the colored school facilities may have lagged behind the facilities for other students."

Expressing disappointment in the Administration's request for a delay in federal aid to school construction, Clements said "we may well find our whole school system in a complete state of collapse within a short period of time."

May 19. Subcommittee Chairman John Sherman Cooper (R Ky.) said he would "like to see" Congress enact a bill which would provide a "practical amount rather than the ideal amount" of federal money for school construction. Stating his belief that many of the estimates made by previous witnesses were too high, Cooper said \$100 million would be a "good beginning" toward meeting school needs.

May 20. Clarence Mitchell, director of the Washington bureau of the National Association for the Advancement of Colored People, told the Subcommittee that in view of the Supreme Court's ruling on racial segregation in public education, Congress had a "clear duty" to include an anti-segregation clause in any federal-aid-to-

school-construction law it writes. Mitchell said the legislation now being considered by the group contained no such clause.

Chairman Cooper said the bills were written before the Supreme Court issued its decision but that he personally hoped that the "legislation we may write will be in harmony and accord with the decision of the Supreme Court."

LIQUOR ADVERTISING

Committee. House Interstate and Foreign Commerce.

Action. Began a scheduled three days of hearings May 19 on HR 1227, to ban interstate transmission of advertising of alcoholic beverages in the press and over radio and television.

Testimony.

May 19. Rep. Emanuel Celler (D N.Y.) said government restrictions on liquor advertising would establish a precedent leading to "general federal censorship" of press and radio. He contended it would be improper to deny the right to advertise to an industry Congress has licensed, taxed and made legal.

Rep. James C. Davis (D Ga.), backing the bill, said liquor advertising created a demand for drink among young people and that the proposed legislation would not be unconstitutional.

Methodist Bishop Wilbur E. Hammaker denounced liquor advertising as "an insolent intruder" in the home and an "insidious" device to make drinking look glamorous.

Sam Morris of San Antonio, Texas, head of a company which writes automobile insurance exclusively for non-drinkers, charged radio and TV networks refused to sell him time to present "scientific truths about alcohol."

May 20. R. E. Joyce, vice president of the Distilled Spirits Committee, termed HR 1227 "a step to the return of national prohibition." Joyce declared the proposed legislation was "a clever attempt to erect a sizable obstacle in the path of orderly sale of alcoholic beverages" as a step towards complete prohibition of the manufacture and sale of the product. He was joined in his attacks on the bill by representatives of distillers, brewers and retailers of alcoholic beverages.

Joseph E. Brady of Cincinnati, representing the CIO International Union of Brewery and Distillery Workers, described the bill as "a stepping stone designed to bring about the return of national prohibition." He and other union representatives of brewery workers said that enactment of such a law would result in widespread unemployment in the brewing industry and would discriminate against one industry.

Related Developments. Rep. John D. Dingell (D Mich.) May 17 introduced HR 9153, the same as HR 1227 with an additional ban on tobacco advertising.

Rep. Arthur G. Klein (D N.Y.), a member of the House Interstate and Foreign Commerce Committee, charged during the hearings May 19 that proponents of HR 1227 were "going around the back door" to restore prohibition.

Background. HR 1227 was introduced by the late Rep. Joseph R. Bryson (D S.C.) Jan. 7, 1953. A similar bill (S 3294) was introduced in the Senate by Sen. William Langer (R N.D.) April 14 and hearings in the Senate Interstate and Foreign Commerce Committee were scheduled to begin June 21.

FOUNDATIONS PROBE

Committee. Special Committee investigating tax-exempt foundations.

Continued Hearings May 18-20 (CQ Weekly Report, p. 620).

Testimony.

May 18. Research director Norman Dodd was questioned by Rep. Wayne L. Hays (D Ohio) about a May 10 staff report which Hays said had been "doctored" with "last-minute changes." Dodd said the revised version did not change the conclusions in the report and Chairman B. Carroll Reece (R Tenn.) said the revisions were normal editing.

Dr. Thomas H. Briggs, retired professor of education at Columbia University, told the Committee why he had resigned in March from the advisory committee of the Ford Foundation's Fund for the Advancement of Education. Briggs said that Fund personnel were inexperienced in the education field, ignored professional education, and showed favoritism in their operations.

Teachers, he said, were "intimidated" from criticizing foundations because so many educators rely on money grants from tax-exempt organizations.

Hays asked Briggs whether he agreed with a statement in the staff report that the National Education Association, along with other groups, "aims to exercise a monopoly over education." Briggs said he did not, and added that the NEA "doesn't cooperate at all with foundations."

May 19. Dr. A. H. Hobbs, assistant professor of sociology at the University of Pennsylvania, said that social scientists -- who, he said, get more foundation support than any other group -- give the public the impression their work has the validity of experiments in the natural sciences.

Hobbs cited Dr. Alfred Kinsey's books on human sex behavior as an example of a "pseudo-scientific technique." (Kinsey's work had financial backing from the Rockefeller Foundation.) Chairman Reece, declaring the government would not undertake any project like Kinsey's, said he was "disturbed" that a foundation that the government makes tax-exempt would spend money "for a study of this nature."

May 20. Hobbs urged the Committee not to try to enact laws dealing with research work financed by foundations. The organizations themselves, he said, should make sure their social science grants were "in balance."

ATOMIC ENERGY ACT

Committee. Joint Atomic Energy

Continued Hearings on HR 8862 and S 3323, to amend the Atomic Energy Act (CQ Weekly Report, p. 619).

Testimony.

May 14. Former Rep. Andrew J. Biemiller (D Wis.), speaking for the American Federation of Labor, said that if there was to be "free private enterprise in the atomic field," there also must be "free collective bargaining." He proposed setting up a labor-management advisory committee to the Atomic Energy Commission.

Biemiller said the AFL was opposed to sections of the bills that would grant private patent rights on inventions concerned with atomic power, and would eliminate the AEC's authority to impose compulsory licensing of atomic inventions.

Clyde T. Ellis of the National Rural Electric Cooperative Association said the proposed legislation "should not be passed in any form." He said the AEC should submit a report on the social and economic implications of atomic energy, as required by the present law (CQ Weekly Report, p. 343). Ellis said his group was opposed to "monopolistic power companies' demands for exclusive patents" on atomic power developments.

Francis K. McCune, of General Electric's Atomic Products Division, praised the "fundamental change in philosophy" embodied in the bills. He called it "the best possible encouragement (to) American business." But he said the licensing provisions "might well... discourage private investment in atomic activities."

May 15. While the hearings were in recess, controversy arose over a section in the bills that would describe the AEC chairman as "principal officer of the Commission." (Present law makes no distinction between the chairman and the four other commissioners.) Committee member Rep. Melvin Price (D Ill.) said he was against the proposal on the grounds it might be interpreted as a Congressional directive for "one-man rule" of the AEC. Price's statement was supported by Chet Holifield (D Calif.)

But Committee Chairman W. Sterling Cole (R N.Y.) said other heads of government commissions were designated by law as the chief officers of their groups, and that AEC Chairman Lewis L. Strauss had nothing to do with putting the proposal in the present bills.

May 17. Wilson M. Compton, testifying for the U.S. Chamber of Commerce, said "the production of electric power from nuclear fission should be financed, developed and operated by private industry." He endorsed the provisions for private patent rights and freer use of fissionable materials by private industry, as well as sections in the legislation providing for greater cooperation with foreign nations on atomic matters.

Holifield said the bills should give the AEC power to acquire patents on peaceful uses of atomic energy but Cole said the authority was provided in a section that authorizes condemnation proceedings.

Dr. William A. Higginbotham of the Federation of American Scientists praised the bill in general, including sections providing for greater dissemination of information. But he criticized one part that would set penalties for disclosure of restricted information and urged that the patent provisions guard against a tendency to "create monopoly."

May 18. Karl P. Cohen of the Walter Kidde Nuclear Laboratories, Inc. said the proposed legislation was "urgently needed" because it would aid private development of nuclear power. The present Act, he said, reflects a "severe suspicion of the motives and methods of private industry." But he said the new legislation contains "a continuing threat of excommunication to the nuclear power industry" because it calls for an AEC report on the wide implications of atomic power before a license can be granted.

May 19. Dr. C. G. Suits and William A. Steiger, spokesmen for the National Association of Manufacturers, said the proposed legislation would encourage private investments in atomic developments.

But Benjamin Sigal, speaking for the Congress of Industrial Organizations, and Murray D. Lincoln, head of the Farm Bureau Insurance Companies, said the patent provisions might lead to private monopolies. Lincoln

said the provisions were contrary to the recommendations of President Eisenhower, who, in his Feb. 17 message to Congress (CQ Weekly Report, p. 233), proposed a "mechanism" to prevent a "patent monopoly."

Lincoln urged that federal power policy include atomic power. (Present power law grants preference rights to municipalities, public groups, and cooperatives.) A similar plea came from Leland Olds, former chairman of the Federal Power Commission who appeared for the Public Affairs Institute.

Former Rep. Jerry Voorhis (D Calif.), executive director of the Cooperative League of the U.S.A., said that continued federal development of nuclear power would get results faster than would private industry. He said that "the electric power lobby" was interested "in delaying progress" because of fear of competition from atomic power.

UHF TELEVISION

Committee. Senate Interstate and Foreign Commerce, Subcommittee on Communications.

Action. Began hearings May 19 on the status of Ultra High Frequency television and a bill (S 3095) to regulate multiple ownership of television broadcasting stations.

Testimony.

May 19. Federal Communications Commissioner Frieda B. Hennock urged Congress to freeze the granting of permits for new TV stations in the Very High Frequency band. She said she favored the principle of government control of the TV networks to make their programs available to more stations. The commission at present lacks authority over the networks.

FCC Acting Chairman Rosel Hyde said he hoped a solution could be found without government supervision of programs or distribution of them.

April 20, Allen B. Du Mont, head of the Du Mont Television Network, suggested the government intervene, perhaps with network regulation, to block a television broadcasting monopoly.

Appropriations

LEGISLATIVE-JUDICIARY

Subject. House Appropriations Subcommittee on Legislative-Judiciary funds May 18 made public testimony given in closed sessions during May.

Testimony.

Raymond Blattenberger, Public Printer, testified May 11 that 20 employees were dismissed from the Government Printing Office in 1953 as security risks. He said these included nine alleged Communist sympathizers. He added that 18 security cases were pending.

Lyle O. Snader, Clerk of the House, testified May 13, and submitted a statement showing that from Jan. 3, 1953, to March 31, 1954, various House investigating committees had been authorized \$2,289,560, of which they had spent \$1,277,814. Snader pointed out that the totals did not include the \$150,000 authorized April 8 for the Select Committee on Baltic States, and \$65,000 authorized April 6 for the Select Committee on Tax Exempt Foundations.



(MAY 14-20)

political notes

PENNSYLVANIA PRIMARY

All incumbent Congressmen were renominated, and Lt. Gov. Lloyd H. Wood (R) and State Sen. George M. Leader (D) of York county won their party nominations for governor in the Pennsylvania primary May 18.

With 86 of 8,589 districts still to report, Wood had rolled up 687,743 votes to 298,467 amassed by his Democratic rival, Leader. Wood is the "harmony" candidate of the two state GOP factions headed by Sen. James H. Duff (R) on one hand and Sen. Edward Martin (R) and Gov. John S. Fine (R) on the other (CQ Weekly Report, p. 141.) Wood was opposed by Thomas S. Stephenson of Altoona and Gordon F. Chamberlin of Northumberland county. Leader carried the backing of the Democratic State Committee against Democrats William D. McClelland of Pittsburgh and Charles J. Schmitt of Erie.

INCUMBENTS WIN OUT

Ten Republican and four Democratic Congressional incumbents won over party opposition; the other incumbents were unopposed.

In the 21st District Rep. Augustine B. Kelley (D), and Rep. Louis E. Graham (R) in the 25th downed opposition by margins of four to one and three to two, respectively.

In the 28th District (Pittsburgh) Matt Cvetc, former FBI undercover agent, lost the Republican primary race to Guy C. Read, who will oppose Rep. Herman P. Eberharter (D). Anthony Kobak, seeking the Democratic nomination in the 30th District against Rep. Vera Buchanan (D), was killed May 16 in a plane crash while testing aerial public address equipment which he planned to use in a windup of his campaign the following day.

Ex-Rep. Daniel J. Flood (D) was unopposed for nomination in the 11th District. In the 19th, Ex-Rep. Chester H. Gross (R) lost in the primary to Rep. S. Walter Stauffer (R).

PHILADELPHIA TEST

A test of strength between Philadelphia Mayor Joseph S. Clark, Jr. (D) and Rep. William J. Green, Jr. (D), Democratic city chairman, resulted in victory for Mayor Clark's forces with the election of City Councilman Charles M. Finley to the Democratic State Committee and election to the legislature of State Rep. Marvin Bazin, in the reapportioned 34th ward. Mayor Clark hailed their elections as a mandate from Democratic voters for support of home rule and the city charter.

Only an estimated 29 per cent of the State's five million registered voters appeared at the polls. Political observers gave the general apathy of the campaign, lack of any large-scale factional feuds among either

The Winners

PENNSYLVANIA PRIMARY -- MAY 18

Republicans

Democrats

GOVERNOR

Lloyd H. Wood

George M. Leader

HOUSE

(Incumbents in capital letters)

| | | |
|------|------------------------|-----------------------|
| 1st | Joseph A. Graham, Jr. | WILLIAM A. BARRETT |
| 2nd | Albert A. Clardi | WILLIAM T. GRANAHAH |
| 3rd | Charles H. Sporkin | JAMES A. BYRNE |
| 4th | W. Beverly Carter, Jr. | EARL CHUDOFF |
| 5th | Francis P. McCusker | WILLIAM J. GREEN, JR. |
| 6th | HUGH D. SCOTT, JR. | Alexander Hemphill |
| 7th | BENJAMIN F. JAMES | O. Arthur Cappelletto |
| 8th | KARL C. KING | John P. Fullam |
| 9th | PAUL B. DAGUE | Edward C. Wilson |
| 10th | JOSEPH L. CARRIGG | Robert H. Jones |
| 11th | EDWARD J. BONIN | Daniel J. Flood* |
| 12th | IVOR D. FENTON | Charles E. Lotz |
| 13th | SAMUEL McCONNELL | Joseph C. Mansfield |
| 14th | Donald F. Spang | GEORGE M. RHODES |
| 15th | LeRoy Mickels | FRANCIS E. WALTER |
| 16th | WALTER M. MUMMA | Richard A. Swank |
| 17th | ALVIN R. BUSH | William T. Longe |
| 18th | RICHARD M. SIMPSON | Robert M. Meyers |
| 19th | S. WALTER STAUFFER | James M. Quigley |
| 20th | JAMES E. VAN ZANDT | John R. Stewart |
| 21st | Herbert O. Morrison | AUGUSTINE B. KELLEY |
| 22nd | JOHN P. SAYLOR | Robert S. Glass |
| 23rd | LEON H. GAVIN | Fred C. Barr |
| 24th | CARROLL D. KEARNS | Edmund T. Rogers |
| 25th | LOUIS E. GRAHAM | Frank M. Clark |
| 26th | Branko Stupar | THOMAS E. MORGAN |
| 27th | JAMES G. FULTON | Charles J. Chamberlin |
| 28th | Guy C. Read | HERMAN EBERHARTER |
| 29th | ROBERT J. CORBETT | William G. Foley |
| 30th | David J. Smith | VERA BUCHANAN |

* -- Former Congressman

Republicans or Democrats and good weather as reasons for the light turnout.

GOP MEETING

The Executive Committee of the Republican National Committee, at a one-day closed "work session" May 14, endorsed the "achievements of the Eisenhower Administration and the 83rd Congress."

The Executive Committee also authorized Chairman Leonard W. Hall to fix a time and place for a full National Committee meeting to be held in the Midwest in late August or early September and appointed several subcommittees to deal with problems of the coming Congressional campaign.

SUMMERFIELD SPEECH

Postmaster General Arthur E. Summerfield May 15 blamed the previous Democratic administration for policies which produced the crisis in Indo-China. What has happened in that country, he told an Indiana Republican Editorial Association meeting, "is a tragic legacy of Communist intrigue growing in large part out of the Truman-Acheson foreign policy which let Nationalist China fall."

On May 17, House Minority Leader John W. McCormack (D Mass.) urged President Eisenhower to rebuke Summerfield for his statement and asserted that "even a juvenile moron" would not contend that the Democrats were responsible for the present situation.

LABOR STRATEGY

Political strategy aimed at defeating anti-labor Congressional candidates by limiting use of campaign funds to doubtful political districts was discussed May 19 in Chicago by the AFL's Labor's League for Political Education.

AFL leaders have said that good political results can be obtained by concentrating the federation's political activities on districts in which the transfer of a few thousand votes would shift the balance from Republicans to Democrats.

Mrs. Margaret Alden Thornburgh of Okmulgee, Oklahoma May 14 was appointed director of the newly created women's division of Labor's League for Political Education in an effort to persuade workers' wives to support AFL-approved Congressional candidates. Mrs. Thornburgh served two terms as vice president of the AFL's Oklahoma State Federation of Labor and was an organizer for the AFL's Glass Bottle Blowers Union.

AMERICAN LABOR PARTY

The American Labor Party announced May 7 in New York that it will run its own candidates for governor this year in an effort to retain its place as a legally recognized political party.

Paul L. Ross, the party's state chairman, made this decision public at a rally at Manhattan Center. He defined the party's major goal in the forthcoming election as the defeat of supporters of Sen. Joseph R. McCarthy (R Wis.).

To retain legal recognition, the Labor Party must poll 50,000 votes for its candidate for Governor. In recent years it has been losing strength steadily. Other parties charged it was Communist-dominated.

In 1946, when it was part of a coalition backing the Democratic candidate for Governor, it polled 428,903 votes, all but 77,000 of them in New York City. In 1949 it got 356,600 for Mayor in New York City; in 1950 it polled 222,000 for Governor and last year 53,000 for Mayor.

Political Calendar

Upcoming primaries: Florida runoff May 25; North Carolina May 29; Alabama runoff June 1; Nevada June 1; South Dakota June 1.

Filing deadlines: North Dakota May 29.

STATE ROUNDUP

COLORADO: Gov. Dan Thornton (R) announced May 15 that he would not be a candidate for office in 1954 and could not be drafted to run. (CQ Weekly Report p. 416.)

HAWAII: Delegate Joseph R. Farrington (R) announced May 17 that he would not seek re-election as delegate if Hawaii failed to achieve statehood this year. Instead he said he would devote all his time to working for statehood.

INDIANA: Sen. Homer E. Capehart (R) announced May 19 that he intended to seek re-election when his present Senate term ends in 1956. Capehart and his colleague, Sen. William E. Jenner (R), lost an intra-party battle for control of the Indiana State Republican organization to Gov. George N. Craig (R) on May 12. (CQ Weekly Report, p. 623.)

IOWA: Elmer G. Carlson, Audubon businessman, is facing Robert E. Friel of Council Bluffs in the June 7 primary for the Democratic nomination for the Seventh District seat now held by Rep. Ben F. Jensen (R).

KANSAS: Former Sen. George McGill (D) announced May 19 he would file for the Democratic nomination for the Senate seat now held by Sen. Andrew F. Schoeppel (R).

MONTANA: Rep. Lee Metcalf (D) filed May 13 for renomination in the First District.

NORTH CAROLINA: President Eisenhower spoke May 18 at the celebration of the Mecklenburg County (Charlotte) "Declaration of Independence", in a district where Rep. Charles Raper Jonas (R), one of the four Republican Congressmen south of the Mason-Dixon line, is up for re-election. President Eisenhower also spoke in Jonas' 10th District in 1952.

WYOMING: Ewing T. Kerr, former Republican State committee chairman, and William J. Tabor, Cheyenne automobile dealer, have announced that they will file for the Republican nomination for the seat of Sen. Lester C. Hunt (D). Kerr resigned and has been replaced as State chairman by Ralph S. Linn, Fremont county rancher and state legislator.

FOR AMERICA

"For America," a new political organization founded May 7 in Chicago with the stated aim of combating super-internationalism and Communism, announced May 15 that more than 5,000 congratulations and inquiries about the organization were received since the organization was founded.

CORRECTION

Page 623, column 1 -- paragraph 3, last line, should read: "internationalism and intervention" (not "isolationism and intervention").

CALIFORNIA SENATE RACE

Two lawyers, both veterans of World War II and of the California state senate--Sen. Thomas H. Kuchel (R), 43, of Anaheim, Calif., and Rep. Samuel W. Yorty (D), 44, of Los Angeles--are the leading contestants in the California primary June 8.

Under California's cross-filing law, candidates can file on more than one ticket, and if they win both major party nominations in the primary they are, in effect, automatically elected. Both Kuchel and Yorty have crossfiled. Others in the Senate primary are William T. Hooley (R) of Oakland, Adam C. Derkum (D) and Leo Gallagher (D) of Los Angeles, and Isobel M. Cerney (Independent Progressive) of Menlo Park.

Kuchel and Yorty served together in the California state senate before coming to Washington. Yorty was the first chairman of the California Senate Committee on Un-American Activities in 1939-40. After serving three years in the Air Force, Yorty was elected to the 82nd Congress in 1950, from the 14th California district. He now represents the gerrymandered 26th (Los Angeles) district. He has the support of organized labor.

Kuchel (pronounced Keekul) was named to the Senate on Dec. 22, 1952, to fill out the unexpired Senate term of Vice President Richard M. Nixon (R). Kuchel was appointed by former Gov. Earl Warren (R Calif.), now Chief Justice of the U.S. He had served in the state legislature, and twice had been elected state controller, a post to which Warren first appointed him Feb. 11, 1945.

THE ISSUES

Kuchel and Yorty differ on two major issues. Campaigning on a program of "strong national defense," Yorty opposed a \$5 billion cut in Air Force funds last year as "false economy" and now claims that the Administration's step-up in air defense is an admission of last year's "grave error" and a vindication of his position. Kuchel, on the other hand, has backed the President's defense program "100 per cent of the time." He says that under it the Air Force has "more combat planes" than ever.

The other major issue on which they differ is the farm program. Kuchel is a strong supporter of the flexible price support program advocated by Secretary of Agriculture Ezra Taft Benson, while Yorty favors continuing the present farm program providing for price supports at 90 per cent of parity on basic crops. Yorty argues that the Benson plan offers nothing to farmers except a lower income. Kuchel claims that Yorty has been inconsistent on this issue, and only recently came out in favor of the mandatory high supports after previously being cool to the farm law presently on the books. Kuchel points to his co-sponsorship of the 1954 emergency cotton acreage law which modified the cut in California 1954 cotton planting from 53 per cent to 34 per cent. Cotton is California's biggest basic crop.

Kuchel is campaigning on his record. He claims that he has successfully sponsored legislation of particular interest to his state, such as reclamation, flood control and school aid, while Yorty has failed to obtain action

CQ Scoreboard

Here is a comparison of the voting records of Sen. Thomas H. Kuchel (R Calif.) and Rep. Samuel W. Yorty (D Calif.) in 1953, and Yorty's record in the 82nd Congress:

| | Party Unity | | Bipartisan Support | | On The Record | |
|------|-------------|-------|--------------------|-------|---------------|-------|
| | Kuchel | Yorty | Kuchel | Yorty | Kuchel | Yorty |
| 1953 | 93% | 74 | 90% | 90 | 96% | 93 |
| 82nd | -- | 95 | -- | 87 | -- | 95 |

Additional statistics for the first session of the present Congress (1953) only:

| | Kuchel | Yorty |
|----------------------|--------|-------|
| Party Voting | 85 | 75 |
| Voting Participation | 93 | 92 |
| Eisenhower Support | | |
| "Relative" | 91 | 72 |
| "Effective" | 82 | 68 |

For definitions and basis of calculations, see CQ Almanac, 1953, Vol. IX, pp. 77, 92, 99.

on his bills, although he has been in Congress longer. (On this point Yorty notes he has sponsored legislation on tidelands, statehood and tax relief for working mothers similar to that sponsored by GOP House Committee Chairmen and on which action has been taken in the House.) Kuchel says he has been a strong supporter of the Eisenhower Administration although he has reserved the right to differ with it from time to time on such issues as the Bricker amendment. He also argues that he has won two state-wide races (for state controller) by handsome margins whereas Yorty received a small vote when he ran unsuccessfully for the Senate in 1940 on a "stop Hitler" platform.

HANDPICKED SENATORS?

Yorty says Kuchel and Sen. William F. Knowland (R Calif.) were "handpicked" for the Senate by Warren, and he says that Californians should have "an opportunity to pick their own Senator." Yorty says Kuchel failed to take a stand on important issues, including unemployment, and has a heavy campaign warchest. Yorty is campaigning against "the mess in Washington," which he defines as the failure of the Administration successfully to combat "communism at home and communism abroad."

In this Congress both Kuchel and Yorty favored the "states-rights tidelands oil" measure, the St. Lawrence Seaway and excise tax cuts, and opposed cuts in foreign aid. Kuchel opposed and Yorty favored amendments to increase funds in the 1954 Defense Department appropriation, while Kuchel favored and Yorty opposed the Mexican farm labor bill. Yorty opposed a decrease and Kuchel opposed an increase in soil conservation payments in 1953.



(MAY 12 - 18)

summary of legislation (APPENDIX)

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Bills Acted On

EXPLANATORY NOTE: Bills and resolutions which during this period have been approved and reported by committees to the floor of either house, or have been passed by either house, are listed below in numerical order. The summary gives, in order listed, number of bill, description, sponsor, nature and date of action. Action was by voice vote unless otherwise indicated.

Simple resolutions (S Res or H Res) are completed when adopted by the chamber in which they originate. They do not become law.

Concurrent resolutions (S Con Res or H Con Res) are completed when adopted by both houses. They do not become law.

Joint resolutions (S J Res or H J Res) and bills (S or HR) must be passed by both houses and are then sent to the President. They become law when signed by the President, or become law without his signature after 10 days, unless he vetoes.

CQ's Summary Of Legislation appears weekly while Congress is in session, as an appendix at the back of CQ Weekly Report. Pages are numbered consecutively throughout the year and to distinguish appendix pages from other Weekly Report pages, each appendix page number is preceded by an A.

1. Sent To President

- S 2120. Authorize the Maine-New Hampshire Interstate Bridge Authority to reconstruct the toll bridge across the Piscataqua River at Portsmouth, N.H. BRIDGES (R N.H.). Senate Public Works reported Feb. 19. Passed Senate on call of calendar March 2. House Public Works reported May 5. Passed House on consent calendar May 17.
- S J Res 69. Require the preparation of an estimate of the cost of reconstructing Ford's Theater in Washington, D. C. YOUNG (R Nev.). Senate Interior and Insular Affairs reported March 30. Passed Senate on call of calendar April 5. House Interior and Insular Affairs reported May 5. Passed House on consent calendar May 17.
- HR 1433. Prevent retroactive checkage of retired pay in the cases of certain enlisted men and warrant officers appointed or advanced to commission rank, or grade, under the act of July 24, 1941. VAN ZANDT (R Pa.). House Armed Services reported Feb. 16. Passed House on consent calendar March 1. Senate Armed Services reported May 13. Passed Senate on call of calendar May 17.
- HR 2274. Amend act of May 26, 1948, to establish Civil Air Patrol as a civilian auxiliary of the U.S. Air Force. JOHNSON (R Calif.). House Armed Services reported July 30. Passed House, amended, July 30, 1953. Senate Armed Services reported May 6, 1954. Passed Senate on call of calendar May 17.
- HR 2896. Provide a method for paying certain unsettled claims for damages sustained as a result of the explosions at Port Chicago, Calif. CONDON (D Calif.). House Judiciary reported April 28. Passed House amended on consent calendar May 19, 1953. Senate Judiciary reported May 10, 1954. Passed Senate on call of calendar May 17.
- HR 3598. Consolidate the Parker Dam power project and the Davis Dam project. RHODES (R Ariz.). House Interior and Insular Affairs reported July 15. Passed House on consent calendar, July 27, 1953. Senate Interior and Insular Affairs reported May 11, 1954. Passed Senate on call of calendar May 17.

- HR 5862. Authorize Panama Canal Company to transfer the Canal Zone Corrosion Laboratory to the Department of the Navy. WEICHEL (R Ohio) House Merchant Marine and Fisheries reported July 29, 1953. Passed House on consent calendar Jan. 18, 1954. Senate Armed Services reported May 7. Passed Senate on call of calendar May 17.
- HR 6186. Grant a preference right to users of withdrawn public lands for grazing purposes when the lands are restored from the withdrawal. D'EWART (R Mont.). House Interior and Insular Affairs reported Jan. 6. Passed House on consent calendar Jan. 18. Senate Interior and Insular Affairs reported May 13. Passed Senate on call of calendar May 17.
- HR 6870. Amend the act of Feb. 13, 1900, re railway installations on the batture in front of the Public Health Service hospital property in New Orleans, La. BOGGS (D La.). House Interstate and Foreign Commerce reported March 23. Passed House on consent calendar April 5. Senate Interstate and Foreign Commerce reported May 3. Passed Senate on call of calendar May 17.
- HR 7057. Authorize transfer, exchange, and disposition of land in the Eden project, Wyoming. HARRISON (R Wyo.). House Interior and Insular Affairs reported March 4. Passed House on consent calendar March 15. Senate Interior and Insular Affairs reported May 11. Passed Senate on call of calendar May 17.
- HR 7328. Promote the national defense by authorizing the construction of aeronautical research facilities by the NACA. SHORT (R Mo.). House Armed Services reported Feb. 16. Passed House March 4. Senate Armed Services reported May 7. Passed Senate on call of calendar May 17.
- HR 7329. Repeal section 1174 of the Revised Statutes re cooperation of medical officers with line officers in superintending cooking by enlisted men. SHORT (R Mo.). House Armed Services reported March 10. Passed House on consent calendar April 5. Senate Armed Services reported May 7. Passed Senate on call of calendar May 17.
- HR 7512. Provide for conveyance of lands at Camp Blanding, Fla. BENNETT (D Fla.). House Armed Services reported Feb. 2. Passed House on consent calendar Feb. 16. Senate Armed Services reported April 6. Passed Senate amended on call of calendar April 19. House concurred in Senate amendments May 12.

2. Senate Bills And Resolutions

FLOOR ACTION IN EITHER HOUSE

- S 118. Authorize construction, operation, and maintenance of Washita River Basin reclamation project, Oklahoma. KERR (D Okla.). MONRONEY (D Okla.). Senate Interior and Insular Affairs reported May 11. Passed Senate on call of calendar May 17.
- S 602. Make certain provisions re rules for loading, stowage, and securing of grain and other similar bulk cargoes. TOBEY (R N.H.). Senate Interstate and Foreign Commerce reported May 12. Passed Senate on call of calendar May 17.
- S 1303. Make certain provisions re naturalization of former U.S. citizens who lost citizenship by voting in political election held in occupied Japan. WATKINS (R Utah). Senate Judiciary reported April 5. Passed Senate May 13.
- S 1461. Amend the Interstate Commerce Act to expedite action by the Interstate Commerce Commission upon application of certain common carriers for rate increases. JOHNSON (D Colo.), BRICKER (R Ohio), CAPEHART (R Ind.). Senate Interstate and Foreign Commerce reported June 1, 1953. Senate recommitted, 39-37, May 13, 1954.
- S 1794. Reimburse the South Dakota State Hospital for the insane for the care of Indian patients. MUNDT (R S.D.). Senate Interior and Insular Affairs reported May 11. Passed Senate on call of calendar May 17.
- S 2420. Amend the Trading With the Enemy Act re designation of organizations as successors in interest to deceased persons. HENNINGS (D Mo.), LANGER (R N.D.), McCARRAN (D Nev.). Senate Judiciary reported May 10. Passed Senate on call of calendar May 17.
- S 2744. Provide for termination of federal supervision over property of the Alabama and Coushatta Tribes of the Indians of Texas. WATKINS (R Utah). Senate Interior and Insular Affairs reported May 11. Passed Senate on call of calendar May 17.
- S 2746. Provide for termination of federal supervision over property of certain tribes of Indians located in western Oregon. WATKINS (R Utah). Senate Interior and Insular Affairs reported May 12. Passed Senate on call of calendar May 17.
- S 2761. Approve repayment contracts negotiated with Hermiston and West Extension Irrigation District. CORDON (R Ore.). Senate Interior and Insular Affairs reported May 11. Passed Senate on call of calendar May 17.

- S 2802. Encourage further the distribution of fishery products in the development of research programs and increased markets. SALTONSTALL (R Mass.). Senate Interstate and Foreign Commerce reported April 14. Passed Senate May 14.
- S 2846. Amend the Securities Act of 1933, the Securities Exchange Act of 1934, and certain other acts to preserve existing statutory responsibilities and liabilities of sellers of securities to purchasers. CAPEHART (R Ind.). Senate Banking and Currency reported Feb. 26. Passed Senate on call of calendar March 2. Senate Interstate and Foreign Commerce reported April 26. Passed House amended May 12.
- S 3245. Provide a new emergency loan program of up to \$15 million for farmers and stockmen through December 31, 1954. AIKEN (R Vt.). Senate Agriculture and Forestry reported May 3. Passed Senate May 13.
- S 3270. Provide that leave accrued by prisoners of war in Korea shall not be counted in determining the maximum amount of leave which they may accumulate. PAYNE (R Maine), SMITH (R Maine). Senate Armed Services reported May 13. Passed Senate on call of calendar May 17.
- S 3364. Continue to June 30, 1957, the authority of the Indian Bureau to pay certain costs on New Mexico Indian hospital. BUTLER (R Neb.). Senate Interior and Insular Affairs reported May 11. Passed Senate on call of calendar May 17.
- S 3378. Revise the Organic Act of the Virgin Islands to generally revise its provisions. BUTLER (R Neb.). Senate Interior and Insular Affairs reported April 29. Passed Senate on call of calendar May 17.
- S 3379. Amend the Flammable Fabrics Act to exempt from its application fabrics and wearing apparel which are not highly flammable. PURTELL (R Conn.). Senate Interstate and Foreign Commerce reported May 12. Passed Senate on call of calendar May 17.
- S 3401. Authorize the furnishing of information, radio and television entertainment, and civilian education to armed forces personnel. SALTONSTALL (R Mass.). Senate Armed Services reported May 13. Passed Senate on call of calendar May 17.
- S 3446. Authorize certain rehabilitation at the U.S. Military Academy. STENNIS (D Miss.). Senate Armed Services reported May 13. Passed Senate on call of calendar May 17.

COMMITTEE ACTION IN EITHER HOUSE

- S 2786. Grant consent and approval of Congress to the Southeastern Interstate Forest Fire Protection Compact. SPARKMAN (D Ala.) and other Senators. Senate Agriculture and Forestry reported May 17.
- S 3090. Authorize the transmission and disposition of electric energy generated at Falcon Dam on the Rio Grande. MARTIN (R Pa.). Senate Public Works reported May 14.
- S 3103. Amend act of Jan. 12, 1951, to continue in effect title II of the First War Powers Act. LANGER (R N.D.). Senate Judiciary reported May 17.
- S 3137. Extend to the entire U.S. certain provisions of the act relating to conservation of water resources. AIKEN (R Vt.) and other Senators. Senate Agriculture and Forestry reported May 17.
- S 3457. Authorize appointment of Col. Leland Hazelton Hewitt, U.S. Army retired, as U.S. Commissioner on International Boundary and Water Commission, U.S. and Mexico. WILEY (R Wis.). Senate Foreign Relations reported May 13.
- S 3458. Authorize the long-term charter of tankers by the Secretary of the Navy. SALTONSTALL (R Mass.). Senate Armed Services reported May 13.

3. House Bills And Resolutions

FLOOR ACTION IN EITHER HOUSE

- HR 116. Prohibit the transportation of fireworks into any state in which the sale of such fireworks is prohibited. CHURCH (R Ill.). House Judiciary reported June 22. Passed House July 20. Senate Judiciary reported July 30, 1953. Recommended to Senate Judiciary Feb. 8, 1954. Senate Judiciary reported April 14. Passed Senate amended 73-3, May 18.
- HR 2225. Provide for sundry administrative matters affecting the Defense Department. ARENDS (R Ill.). House Armed Services reported March 18. Passed House on consent calendar April 5. Senate Armed Services reported May 13. Passed Senate amended on call of calendar May 17.
- HR 2974. Add to the revised roll of the Indians of California certain Indians who made application for enrollment within the time fixed by law. PHILLIPS (R Calif.). House Interior and Insular Affairs reported Feb. 23. Passed House on consent calendar March 15. Senate Interior and Insular Affairs reported May 11. Passed Senate, amended, on call of calendar May 17.
- HR 3191. Confer jurisdiction on the U.S. Court for the Northern District of California to hear, determine, and render judgment upon certain claims of the State of California. SCUDDER (R Calif.). House Judiciary reported June 25. Passed House on consent calendar, July 27, 1953. Senate Judiciary reported May 10, 1954. Passed Senate amended on call of calendar May 17.
- HR 4231. Authorize appointment to the Military and Naval Academies of sons of certain members of the armed forces who died or shall die as a result of active service on or after June 27, 1950. VAN ZANDT (R Pa.). House Armed Services reported Feb. 8. Passed House on consent calendar Feb. 16. Senate Armed Services reported May 7. Passed Senate amended on call of calendar May 17.
- HR 5833. Authorize the Hawaiian Commissioner of Public Lands to exchange certain public lands for private lands of equal value for school purposes. FARRINGTON (R Hawaii). House Interior and Insular Affairs reported May 5. Passed House on consent calendar May 17.
- HR 5840. Authorize the Hawaiian Homes Commission to exchange certain Hawaiian Homes Commission land and certain easements for certain lands in private ownership. FARRINGTON (R Hawaii). House Interior and Insular Affairs reported May 11. Passed House on consent calendar May 17.
- HR 6173. Authorize a per capita payment out of tribal funds of the Southern Ute Tribe of Indians of the Southern Ute Reservation. ASPINALL (D Colo.). House Interior and Insular Affairs reported May 10. Passed House on consent calendar May 17.
- HR 6328. Permit the exchange of certain public lands in the vicinity of Waimea, county of Hawaii, T.H. FARRINGTON (R Hawaii). House Interior and Insular Affairs reported May 5. Passed House on consent calendar May 17.
- HR 6374. Revise certain laws relating to warrant officers of the Army, Navy, Air Force, Marine Corps, and Coast Guard. SHORT (R Mo.). House Armed Services reported March 23. Passed House April 5. Senate Armed Services reported May 7. Passed Senate amended on call of calendar May 17.
- HR 6386. Provide for the use of land in Yosemite National Park, Calif., for public school purposes. ENGLE (D Calif.). House Interior and Insular Affairs reported May 5. Passed House on consent calendar May 17.
- HR 6655. Amend the charter of the Columbia Institution for the Deaf. PHILLIPS (R Calif.). House Education and Labor reported May 10. Passed House on consent calendar May 17.
- HR 6888. Grant authority to the Hawaiian Homes Commission to lease to native Hawaiians homelands of irrigated pastoral lands. FARRINGTON (R Hawaii). House Interior and Insular Affairs reported May 11. Passed House on consent calendar May 17.
- HR 6890. Approve Hawaiian legislative act to extend electric light and power franchise to cover the entire districts of Waimea and Koloa on the Island of Kauai, T.H. FARRINGTON (R Hawaii). House Interior and Insular Affairs reported May 5. Passed House on consent calendar May 17.
- HR 7111. Authorize the grant or retrocession to a state of concurrent jurisdiction over certain land. DONDERO (R Mich.). House Public Works reported May 5. Passed House on consent calendar May 17.
- HR 7308. Repeal section 307 of title III of the Federal Civil Defense Act of 1950 re removal of termination date of the act's emergency provisions. JOHNSON (R Calif.). House Armed Services reported March 10. Passed House on consent calendar April 5. Senate Armed Services reported May 13. Passed Senate amended on call of calendar May 17.
- HR 7434. Establish a National Advisory Committee on Education. FRELINGHUYSEN (R N.J.). House Education and Labor reported May 7. Passed House 179-157, May 13.
- HR 7541. Promote the national defense by including a representative of the Defense Department as a member of the National Advisory Committee for Aeronautics. SHORT (R Mo.). House Armed Services reported Feb. 16. Passed House on consent calendar March 1. Senate Armed Services reported May 7. Passed Senate, amended, on call of calendar May 17.
- HR 7893. Make appropriations for the Department of the Treasury and Post Office for fiscal 1955. CANFIELD (R N.J.). House Appropriations reported Feb. 16. Passed House Feb. 18. Senate Appropriations reported May 10. Passed Senate, amended, May 13.
- HR 8038. Provide for use of land in Hot Springs National Park for school and other public purposes. NORRELL (D Ark.). House Interior and Insular Affairs reported May 10. Passed House on consent calendar May 17.
- HR 8538. Provide for the revocation or denial of merchant marine documents to persons involved in certain narcotics violations. SEELY-BROWN (R Conn.). House Merchant Marine and Fisheries reported May 5. Passed House on consent calendar May 17.
- HR 9040. Authorize cooperative research in education. RHODES (R Ariz.). House Education and Labor reported May 7. Passed House 296-55, May 12.

H Res 533. Declare Peabody, Mass. a major disaster area and eligible to receive federal aid. LANE (D Mass.) House adopted May 18.

COMMITTEE ACTION IN EITHER HOUSE

- HR 1426. Make certain provisions re definition of words "relative" and "parent" as used in provisions of law authorizing payment of six months' death gratuity to widow, child, or dependent relative of persons in the armed forces. CHENOWETH (R Colo.). House Armed Services reported May 17.
- HR 2512. Extend the privilege of buying certain public lands to business associations, corporations, and states or their governmental subdivisions for home and other sites. BARTLETT (D Alaska). House Interior and Insular Affairs reported May 5. Passed House amended on consent calendar May 19, 1953. Senate Interior and Insular Affairs reported May 13, 1954.
- HR 5181. Make certain revisions in the Organic Act of the Virgin Islands. MILLER (R Neb.). House Interior and Insular Affairs reported May 13.
- HR 6725. Extend the authority for the appointment of certain Regular Navy and Marine Corps officers. SHORT (R Mo.). House Armed Services reported May 17.
- HR 7864. Provide for the development of the Priest Rapids site on the Columbia River, Wash., under a license issued pursuant to the Federal Power Act. HOLMES (R Wash.). House Public Works reported May 12.
- HR 7712. Amend the Veterans Regulation to provide an increased statutory rate of compensation for veterans suffering the loss of an eye in combination with the loss of a limb. ROGERS (R Mass.). House Veterans Affairs reported May 12.
- HR 7786. Honor veterans on the 11th day of November of each year, a day dedicated to world peace. REES (R Kan.). House Judiciary reported March 9. Passed House on consent calendar March 19. Senate Judiciary reported May 17.
- HR 7815. Provide for construction, operation, and maintenance of the Cougar Dam and Reservoir on the South Fork McKenzie River Ore., with participation for power by the city of Eugene, Ore. ELLSWORTH (R Ore.). House Public Works reported May 12.
- HR 7851. Amend the Veterans Regulations to provide additional compensation for veterans having the service-incurred disability of loss or loss or use of both buttocks. HEBERT (D La.). House Veterans Affairs reported May 12.
- HR 7918. Provide for the enlargement of the VA facility at Fayetteville, Ark. TRIMBLE (D Ark.). House Veterans Affairs reported May 12.
- HR 8041. Provide benefits under VA laws based upon service in the Women's Auxiliary Corps under certain conditions. RADWAN (R N.Y.). House Veterans Affairs reported May 12.
- HR 8330. Extend the time for filing application and receiving assistance in acquisition of an automobile or other conveyance on the part of certain disabled persons. ROGERS (R Mass.). House Veterans Affairs reported May 12.
- HR 8456. Provide for the conveyance of certain U.S. hospital supplies and equipment to the city of Gulfport and to Harrison County, Miss. COLMER (D Miss.). House Armed Services reported May 17.
- HR 8488. Restore eligibility of certain Japanese and German citizens or subjects to receive benefits under veterans laws. HOSMER (R Calif.). House Veterans Affairs reported May 12.
- HR 8583. Make appropriations for the Executive Office and sundry independent boards, executive bureaus, commissions, corporations, agencies and offices, for fiscal 1955. PHILLIPS (R Calif.). House Appropriations reported March 26. Passed House March 31. Senate Appropriations reported May 14.
- HR 8647. Make certain provisions re registration or licensing of a vessel of the U.S. WAINWRIGHT (R N.Y.). House Merchant Marine and Fisheries reported May 12.
- HR 8748. Improve the program of emergency agricultural loans. HOPE (R Kan.). House Agriculture reported May 17.
- HR 8789. Provide a 3-year presumptive period for arthritis, psychoses, and multiple sclerosis. RADWAN (R N.Y.). House Veterans Affairs reported May 12.
- HR 8790. Place Korean service veterans on the same basis as World War I and II veterans for purpose of benefits in connection with reporting for final acceptance for entrance into active military service. ROGERS (R Mass.). House Veterans Affairs reported May 12.
- HR 8900. Provide a special pension for holders of the Congressional Medal of Honor. RADWAN (R N.Y.). House Veterans Affairs reported May 12.
- HR 8983. Provide for the conveyance of certain lands by the U.S. to the city of Muskogee, Okla. EDMONDSON (R Okla.). House Veterans Affairs reported May 12.

bills introduced (APPENDIX CONTINUED)

CQ's eight subject categories and their sub-divisions:

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. AGRICULTURE 2. APPROPRIATIONS 3. EDUCATION & WELFARE <ul style="list-style-type: none"> Housing & Schools Safety & Health Social Security 4. FOREIGN POLICY <ul style="list-style-type: none"> Administrative Policy International Relations Immigration & Naturalization 5. LABOR 6. MILITARY & VETERANS <ul style="list-style-type: none"> Defense Policy Veterans | <ol style="list-style-type: none"> 7. MISC. & ADMINISTRATIVE <ul style="list-style-type: none"> Civil Service Congress Constitution, Civil Rights Crimes, Courts, Prisons District of Columbia Indian & Territorial Affairs Land and Land Transfers Post Office Presidential Policy 8. TAXES & ECONOMIC POLICY <ul style="list-style-type: none"> Business & Banking Commerce & Communications Natural Resources Public Works & Reclamation Taxes & Tariffs |
|---|---|

Within each category are Senate bills in alphabetical order of sponsor's name, followed by House bills in alphabetical order of sponsor's name. Bills are described as follows: Sponsor's name, bill number, date introduced, brief description of provisions and committee to which bill was assigned.

Bills sponsored by more than one Senator are listed under the first sponsor, with additional sponsors listed in alphabetical order. All such multiple sponsored bills are marked by an asterisk(*). To check all bills introduced by a particular Senator, look for his name under each of the subject categories and subdivisions thereof, and check all bills marked with an asterisk.

In the House identical bills are sponsored by several Members but each bill has only one sponsor and one number. In such cases only the first bill introduced -- that with the lowest bill number -- is described in full. Bills introduced subsequently during the period and identical in nature are cited back to the earliest bill.

1. Agriculture

FREAR (D Del.) S 3442.....5/12/54. Stabilize farm incomes by providing a system of insurance to indemnify farmers against certain losses occurring in the operation of their farms. Agriculture.

GUBSER (R Calif.) HR 9155.....5/17/54. Require federal purchasing agencies to observe state laws governing minimum milk prices. Agriculture.

HERLONG (D Fla.) HR 9110.....5/12/54. Amend Agricultural Marketing Agreement Act of 1937, as amended, re qualifications for importations of certain agricultural products. Agriculture.

PHILLIPS (R Calif.) HR 9141.....5/13/54. Encourage disposal of agricultural surpluses and to improve foreign relations of U.S. Agriculture.

2. Appropriations

No Introductions

3. Education And Welfare

HOUSING AND SCHOOLS

***CLEMENTS (D Ky.)** for **Burke (D Ohio)** S 3450.....5/13/54. Amend P.L. 815, 81st Congress, to extend for two additional years the program of assistance for school construction under title III. Labor.

KEFAUVER (D Tenn.) S 3478.....5/18/54. Direct Atomic Energy Commission to provide education in schools of Oak Ridge, Tenn. to certain children living in vicinity of Oak Ridge. Atomic Energy.

CONDON (D Calif.) HR 9134.....5/13/54. Expedite removal of federally owned temporary housing and construction of privately owned housing to replace it in certain communities where such temporary housing predominates. Banking.

McCONNELL (R Pa.) HRes 543.....5/12/54. Provide additional funds for studies and investigations to be conducted re education and labor. Administration.

TALLY OF BILLS

The number of measures -- public and private -- introduced in the 83rd Congress from Jan. 3, 1953, through May 18, 1954.

| | Senate | House |
|------------------------|--------------|---------------|
| Bills | 3,483 | 9,202 |
| Joint Resolutions | 158 | 528 |
| Concurrent Resolutions | 83 | 235 |
| Simple Resolutions | 249 | 554 |
| TOTAL | 3,973 | 10,519 |

POLK (D Ohio) HR 9168.....5/17/54. Amend P.L. 815, 81st Congress to extend for two additional years program of assistance for school construction under title III. Labor.

YORTY (D Calif.) HR 9179.....5/17/54. Authorize grants to states for public elementary and secondary school construction. Labor.

SAFETY AND HEALTH

LANE (D Mass.) H Res 553.....5/18/54. Express sense of the House that flood which devastated Peabody, Mass. be declared major disaster area and federal aid be provided.

O'HARA (R Minn.) (by request) HR 9166.....5/17/54. Protect public health by amending federal Food, Drug and Cosmetic Act to prohibit use in food of new chemical additives which have not been adequately tested. Commerce.

PATTERSON (R Conn.) HR 9193.....5/18/54. Amend Flammable Fabrics Act to exempt from its application fabrics and wearing apparel which are not highly flammable. Commerce.

SOCIAL SECURITY

FINO (R N.Y.) HR 9108.....5/12/54. Amend title II of Social Security Act to provide that work clause shall not apply to work performed by individuals who have attained age of 65. Ways and Means.

HOLIFIELD (D Calif.) HR 9135.....5/13/54. Amend public assistance provisions of Social Security Act by extending for two years increased federal financial participation to states for assistance to aged, blind and disabled and dependent children. Ways and Means.

4. Foreign Policy

ADMINISTRATIVE POLICY

WILEY (R Wis.) S 3457.....5/13/54. Authorize appointment as U.S. Commissioner, International Boundary and Water Commission, U.S. and Mexico, of Col. Leland Hazelton Hewitt, U.S.A. Ret.

INTERNATIONAL RELATIONS

JENNER (R Ind.) S Res 247.....5/13/54. Express sense of Senate that U.S. should sever diplomatic relations with Soviet Russia and countries enslaved by Russia and that the U.S. should convoke international conference for action to destroy Communist fifth column and resist further aggression. Foreign Relations.

PILLION (R N.Y.) H Res 548.....5/13/54. Express sense of House with respect to threat posed to peoples of Asia, and to entire free world, by activities of China and Soviet Union. Foreign Affairs.

IMMIGRATION AND NATURALIZATION

CELLER (D N.Y.) HR 9187.....5/18/54. Amend Refugee Relief Act of 1953 re requirement for certificate for readmission. Judiciary.

MACHROWICZ (D Mich.) HR 9191.....5/18/54. Similar to **CELLER (D N.Y.)** HR 9187.

5. Labor

***HUMPHREY (D Minn.)** **Douglas (D Ill.)** S 3463.....5/14/54. Amend section 9 (h) of National Labor Relations Act, as amended, to provide more effective enforcement of non-communist affidavit provisions. Labor.

PAYNE (R Maine.) S Res 246.....5/13/54. Express sense of Senate that study be undertaken re maintaining private ship construction and repair yards to provide mobilization base in times of emergency and a plan presented to Congress re facilities to meet any national emergency. Commerce.

HOWELL (D N.J.) HR 9158.....5/17/54. Amend section 9 (h) of National Labor Relations Act, as amended, to bring about more effective enforcement of non-Communist affidavit provisions of Labor Management Relations Act. Labor.

LANE (D Mass.) HR 9137.....5/13/54. Authorize federal loans to assist local communities in building modern industrial plants in labor-surplus areas. Public Works.

NELSON (R Maine) HR 9117.....5/12/54. Increase national minimum wage to \$1 an hour. Labor.

6. Military And Veterans

DEFENSE POLICY

SALTONSTALL (R Mass.) S 3458.....5/13/54. Authorize long-term charter of tankers by Secretary of Navy.

SALTONSTALL (R Mass.) (by request) S 3466.....5/17/54. Provide for two additional Assistant Secretaries of Army, Navy and Air Force. Armed Services.

STENNIS (D Miss.) S 3446.....5/12/54. Amend act of January 6, 1951 (64 Stat. 1221), authorize certain rehabilitation at U.S. Military Academy. Armed Services.

BATES (R Mass.) H Res 549.....5/17/54. Create select committee to conduct investigation and study of benefits provided under federal law for surviving dependents of deceased members and former members of armed forces. Rules.

JOHNSON (R Calif.) HR 9160.....5/17/54. Increase enlisted strength of organized units of reserve components. Armed Services.

REED (R Ill.) H J Res 527.....5/17/54. Provide for protection of defense facilities. Judiciary.

SHORT (R Mo.) HR 9119.....5/12/54. Amend act of Jan. 6, 1951 (64 stat 1221), to authorize certain rehabilitation at U.S. Military Academy. Armed Services.

YOUNG (R Nev.) HR 9195.....5/18/54. Protect essential security interests of U.S. by stimulating domestic production of lead and zinc. Ways and Means.

VETERANS

FERGUSON (R Mich.) S 3473.....5/17/54. Amend title IV of Veterans' Readjustment Assistance Act of 1952 to provide that any person serving in armed forces on or after June 27, 1950, shall be entitled to unemployment compensation benefits subject to such title. Finance.

HUMPHREY (D Minn.) S 3441.....5/12/54. Amend Veterans Regulation No. 1 (a) to establish a presumption of service connection for progressive muscular atrophy becoming manifest within 3 years from separation from service. Finance.

KEFAUVER (D Tenn.) S 3477.....5/18/54. Provide certain benefits for persons who served in armed forces of U.S. in Mexico or on its borders during period beginning December 8, 1910, and ending April 6, 1917. Finance.

MACK (R Wash.) HR 9116.....5/12/54. Increase monthly rates of pension payable to certain widows of deceased veterans of Spanish-American War, including Boxer Rebellion and Philippine Insurrection. Veterans.

RADWAN (R N.Y.) HR 9169.....5/17/54. Amend veterans regulations to provide that psychoses or multiple sclerosis developing a ten per cent or more degree of disability within three years after separation from active service shall be presumed to be service connected. Veterans.

ROGERS (R Mass.) HR 9171.....5/17/54. Provide additional time to disabled veterans for filing application for assistance in purchasing an automobile or other conveyance, and make such assistance available to certain disabled persons who have not been separated from active service. Veterans.

ROGERS (R Mass.) HR 9172.....5/17/54. Provide for establishment of a Veterans' Administration domiciliary facility at Cushing Veterans' Administration Hospital at Framingham, Mass. Veterans.

7. Miscellaneous And Administrative

ABERNETHY (D Miss.) H J Res 524.....5/13/54. Designate June 1 in each year as National Shut-in's Day. Judiciary.

HARRISON (R Neb.) HR 9156.....5/17/54. Provide that reservoir on Missouri River, S.D. and Neb. back of dam at Gavin's Point, shall be known as Forsyth Reservoir. Public Works.

HEBERT (D La.) HR 9109.....5/12/54. Incorporate American Shut-in Entertainers, Inc. Judiciary.

HOWELL (D N.J.) HR 9111.....5/12/54. Establish a program of grants to states for development of fine arts programs and projects and provide for establishment of an American National War Memorial Arts Commission. Education.

KEOGH (D N.Y.) HR 9115.....5/12/54. Provide that contributions received under P.L. 485, 80th Congress, for construction of a merchant marine chapel shall be invested in government obligations pending use for such construction. Merchant Marine

CIVIL SERVICE

*JOHNSTON (D S.C.), Neely (D W.Va.), Humphrey (D Minn.), Chavez (D N.M.), Lehman (D N.Y.), Hunt (D Wyo.), Kefauver (D Tenn.), Pastore (D R.I.), McCarran (D Nev.), Jackson (D Wash.), Magnuson (D Wash.), Murray (D Mont.), Hennings (D Mo.), Smathers (D Fla.), Kilgore (D W. Va.), Douglas (D Ill.), Langer (R N.D.), Morse (I Ore.), Clements (D Ky.), Burke (D Ohio) S 3443.....5/12/54. Increase rates of basic compensation of certain officers and employees of government. Civil Service.

BECKER (R N.Y.) HR 9133.....5/13/54. Amend Classification Act of 1949 re compensation when grade is reduced because of position reallocation. Civil Service.

MILLER (D Calif.) HR 9164.....5/17/54. Amend Civil Service Retirement Act of May 29, 1930, as amended to provide uniform rate for computation of all annuities. Civil Service.

CONGRESS

BENNETT (R Utah) S Res 249.....5/18/54. Amend Standing Rules of Senate by adding new rule to require assurances prohibiting commercial sponsorship of radio, television broadcasts or motion pictures of congressional committee proceedings. Rules.

CELLER (D N.Y.) HR 9152.....5/17/54. Amend Federal Communications Act of 1934 to prohibit commercial sponsorship of televised or radio coverage of Congressional hearings or proceedings. Commerce.

MEADER (R Mich.) H Res 550.....5/17/54. Amend certain provisions of rule XI of Rules of House of Representatives re authorizations of committees. Rules.

CONSTITUTION, CIVIL RIGHTS

HOLIFIELD (D Calif.) H J Res 525.....5/13/54. Amend Constitution to authorize governors to fill temporary vacancies in Congress caused by a disaster. Judiciary.

CRIMES, COURTS AND PRISONS

FERGUSON (R Mich.) S 3474.....5/18/54. Amend title 18, U.S.C., chapter 79, to add new section 1623, to extend law re perjury to willful giving of contradictory statements under oath. Judiciary.

FERGUSON (R Mich.) S 3475.....5/18/54. Require registration of certain persons who have knowledge of or have received instruction or assignment in espionage, counterespionage, or sabotage service or tactics of a foreign government or foreign political party. Judiciary.

KNOWLAND (R Calif.) S J Res 158.....5/13/54. Amend section 84 (a) (2) of title 28 of U.S.C. re counties comprising central division of district courts of southern district of California. Judiciary.

LANGER (R N.D.) S 3439.....5/12/54. Amend section 794 of title 18, U.S.C., relating to espionage. Judiciary.

LANGER (R N.D.) S 3459.....5/14/54. Amend sections 2151, 2153, 2154, 2155, 2156 of title 18 U.S.C. relating to sabotage. Judiciary.

BARRETT (D Pa.) HR 9107.....5/12/54. Confer jurisdiction upon Court of Claims to hear, determine, and render judgment upon certain claims for basic and overtime compensation. Judiciary.

BYRNE (D Pa.) HR 9151.....5/17/54. Judiciary. Similar to Barrett (R Pa.), HR 9107.

KEARNS (R Pa.) HR 9114.....5/12/54. Increase to \$3 per diem the witness fee in cases in the criminal division of D.C. municipal court. D.C.

McCULLOCH (R Ohio) HR 9192.....5/18/54. Revise, codify, and enact into law, title 13 of U.S.C. entitled "Census". Judiciary.

O'HARA (R Minn.) (by request) HR 9118.....5/12/54. Amend act creating a juvenile court in and for D.C. D.C.

REED (R Ill.) HR 9170.....5/17/54. Amend title 18, U.S.C. chapter 79 to extend law relating to perjury to the willful giving of contradictory statements under oath. Judiciary.

REED (R Ill.) H J Res 528.....5/17/54. Provide for dissolution of Communist-infiltrated organizations. Judiciary.

DISTRICT OF COLUMBIA

- CASE (R S.D.) (by request) S 3467.....5/17/54. Amend act creating D.C. Juvenile Court approved on June 1, 1938. D.C.
- CASE (R S.D.) (by request) S 3469.....5/17/54. Amend D.C. Public School Food Services Act re the revolving fund of school cafeterias. D.C.
- CASE (R S.D.) (by request) S 3468.....5/17/54. Amend paragraph 31 of section 7 of act making appropriations for D.C. government for fiscal year ending June 30, 1903, as amended. D.C.
- CASE (R S.D.) (by request) S 3470.....5/17/54. Permit investment of funds of insurance companies organized within D.C. in obligations of International Bank for Reconstruction and Development. D.C.
- CASE (R S.D.) (by request) S 3471.....5/17/54. Amend section 7 of article I, title V of D.C. Revenue Act of 1939 re inheritance taxes. D.C.
- CASE (R S.D.) (by request) S 3472.....5/17/54. Amend section 2 of article I, title V of D.C. Revenue Act of 1939 re inheritance taxes. D.C.
- CASE (R S.D.) (by request) S 3482.....5/18/54. Amend D.C. Unemployment Compensation Act re benefits and eligibility requirements for benefits. D.C.

- KEARNS (R Pa.) HR 9112.....5/12/54. Provide for payment of compensation to officers and members of Metropolitan, U.S. Park and White House police force; and Fire Department of D.C. for duty on days off, when such days off are suspended during an emergency. D.C.
- KEARNS (R Pa.) HR 9113.....5/12/54. Increase area within which officers and members of Metropolitan Police force and Fire Department of D.C. may reside. D.C.
- KEARNS (R Pa.) HR 9181.....5/17/54. Provide for granting to officers and members of Metropolitan Police Force and D.C. Fire Department, White House and Park Police additional compensation for working on part holidays. D.C.
- O'HARA (R Minn.) (by request) HR 9165.....5/17/54. Amend section 7 of Article I, title V of D.C. Revenue Act of 1939 re inheritance taxes. D.C.
- O'HARA (R Minn.) (by request) HR 9167.....5/17/54. Amend section 2, of Article I, title V of D.C. Revenue Act of 1939 re inheritance taxes. D.C.

INDIAN AND TERRITORIAL AFFAIRS

- BUTLER (R Neb.) S 3452.....5/13/54. Establish public recreation facilities in Alaska. Interior.
- COON (R Ore.) HR 9188.....5/18/54. Make certain per capita payments out of capital reserve fund of Klamath Indians, Oregon. Interior.
- FARRINGTON (R Hawaii) HR 9154.....5/17/54. Provide that the decennial census of agriculture shall include Hawaii. Civil Service.

LAND AND LAND TRANSFERS

- BUTLER (R Neb.) (by request) S 3453.....5/13/54. Provide for management and disposition of reconveyed Choctaw and Chickasaw lands in State of Oklahoma. Interior.
- WILLIAMS (D Miss.) HR 9194.....5/18/54. Provide for conveyance of certain lands owned by federal government near Vicksburg, Miss., to Vicksburg, Miss. Interior.

POST OFFICE

- *JOHNSTON (D S.C.), Neely (D W.Va.), Humphrey (D Minn.), Chavez (D N.M.), Lehman (D N.Y.), Hunt (D Wyo.), Kefauver (D Tenn.), Pastore (D R.I.), McCarran (D Nev.), Jackson (D Wash.), Magnuson (D Wash.), Murray (D Mont.), Hennings (D Mo.), Smathers (D Fla.), Kilgore (D W.Va.), Douglas (D Ill.), Langer (R N.D.), Morse (I Ore.), Clements (D Ky.), Burke (D Ohio), S 3444.....5/12/54. Increase the rates of basic compensation of officers and employees in the field service of the Post Office Department. Civil Service.
- HAGEN (R Minn.) HR 9190.....5/18/54. Extend rural mail delivery service by giving postmaster authority to extend routes if certain conditions met. Civil Service.
- LESINSKI (D Mich.) HR 9138.....5/13/54. Increase rates of basic compensation of officers and employees in the field service of Post Office Department. Civil Service.
- RABAUT (D Mich.) HR 9120.....5/12/54. Authorize Postmaster General to provide for use in first- and second-class post offices of special canceling stamp or postmarking die bearing words "pray for peace". Civil Service.

PRESIDENTIAL POLICY

- HOFFMAN (R Mich.) (by request) HR 9157.....5/17/54. Limit acquisition and use by agencies of federal government of equipment for reproducing documents, drawings, papers, etc on sensitized materials. Administration

8. Taxes And Economic Policy

BUSINESS AND BANKING

- CAPEHART (R Ind.) S 3480.....5/18/54. Amend section 24 of Federal Reserve Act as amended, re powers and duties of member banks regarding loans on farm lands and improved real estate. Banking.
- CAPEHART (R Ind.) S 3481.....5/18/54. Amend sections 23A and 24A of Federal Reserve Act, as amended, re credit of affiliates and investment in bank premises. Banking.
- WOLCOTT (R Mich.) HR 9142.....5/13/54. Amend sections 23A and 24A of Federal Reserve Act, as amended, re credit of affiliates and investment in bank premises. Banking.
- WOLCOTT (R Mich.) HR 9143.....5/13/54. Repeal provisions of section 16 of Federal Reserve Act which prohibits a Federal Reserve Bank from paying out notes of another Federal Reserve Bank. Banking.
- WOLCOTT (R Mich.) HR 9144.....5/13/54. Amend section 24 of Federal Reserve Act as amended, re powers and duties of member banks regarding loans on farm lands and improved real estate. Banking.

COMMERCE AND COMMUNICATIONS

- BRICKER (R Ohio) S 3456.....5/13/54. Authorize FCC to establish rules and regulations and make orders with respect to networks and their activities. Commerce.
- POTTER (R Mich.) S 3464.....5/17/54. Amend Communications Act of 1934 to make certain provision for carrying out Agreement for the Promotion of Safety on the Great Lakes by Means of Radio. Commerce.
- DINGELL (D Mich.) HR 9153.....5/17/54. Prohibit transportation in interstate commerce of advertisements of alcoholic beverages, cigarettes, cigars, smoking tobacco, or chewing tobacco. Commerce.
- SPRINGER (R Ill.) HR 9175.....5/17/54. Provide relief against certain forms of discrimination in interstate transportation. Commerce.

PUBLIC WORKS AND RECLAMATION

- MANSFIELD (D Mont.) S 3445.....5/12/54. Provide for construction of comprehensive drainage system for lands lying within and contiguous to Flathead Irrigation project, Montana. Interior.
- LONG (D La.) HR 9139.....5/13/54. Provide for control of the Old and Atchafalaya Rivers. Public Works.
- PATTON (D Ariz.) HR 9140.....5/13/54. Authorize construction of works to restore to Palo Verde Irrigation District, Calif., a means of gravity diversion of water supply from Colorado River and to provide certain benefits to Colorado River Indian Reservation, Ariz. Interior.
- THOMPSON (D La.) HR 9177.....5/17/54. Assist certain classes of municipalities to finance vitally needed and specific types of public works by providing for a guaranty by U.S. of approved bonds hereafter issued by these municipalities. Ways and Means.
- WICKERSHAM (D Okla.) HR 9121.....5/12/54. Authorize Secretary of Interior to construct, operate, and maintain Washita River Basin reclamation project, Oklahoma. Interior.
- WOLCOTT (R Mich.) H J Res 526.....5/13/54. Authorize disposal of government-owned tin smelter at Texas City, Tex. Banking.

TAXES AND TARIFFS

- LONG (D La.) S 3447.....5/12/54. Amend Internal Revenue Code to permit filling of oral prescriptions for certain drugs. Finance.
- BAILEY (D W. Va.) HR 9185.....5/18/54. Similar to HUNTER (R Calif.) HR 9159.
- BYRD (D W.Va.) HR 9186.....5/18/54. Similar to HUNTER (R Calif.) HR 9159.
- FOGARTY (D R.I.) HR 9189.....5/18/54. Similar to HUNTER (R Calif.) HR 9159.
- HUNTER (R Calif.) HR 9159.....5/17/54. Amend Tariff Act of 1930 to provide permanent procedure for adjustment of tariff rates on a selective basis and to regulate flow of imported articles on basis of fair competition with domestic articles. Ways and Means.
- KNOX (R Mich.) HR 9136.....5/13/54. Amend section 42 of Internal Revenue Code of 1939 re period in which items of gross income be included. Ways and Means.
- MACK (R Wash.) HR 9162.....5/17/54. Similar to HUNTER (R Calif.) HR 9159.
- MARTIN (R Iowa) HR 9163.....5/17/54. Amend Internal Revenue Code to permit filling of oral prescriptions for certain drugs. Ways and Means.
- SCUDDER (R Calif.) HR 9174.....5/17/54. Similar to HUNTER (R Calif.) HR 9159.
- SECRET (D Ohio) HR 9173.....5/17/54. Similar to HUNTER (R Calif.) HR 9159.
- STEED (D Okla.) HR 9176.....5/17/54. Similar to HUNTER (R Calif.) HR 9159.
- VAN ZANDT (R Pa.) HR 9178.....5/17/54. Similar to HUNTER (R Calif.) HR 9159.

President's Text, Attorney General's Memo

"PROPER SEPARATION OF POWERS"

President Eisenhower May 17 directed Secretary of Defense Charles E. Wilson to instruct Defense employees appearing before the Permanent Investigations Subcommittee of the Senate Government Operations Committee not to testify on certain conversations and communications (see Committee Roundup.) Here is the text of the President's letter and of a memorandum to the President from Attorney General Herbert Brownell, Jr.

May 17, 1954

THE WHITE HOUSE

THE PRESIDENT TODAY SENT THE FOLLOWING LETTER TO THE SECRETARY OF DEFENSE

Dear Mr. Secretary:

It has long been recognized that to assist the Congress in achieving its legislative purposes every Executive Department or Agency must, upon the request of a Congressional Committee, expeditiously furnish information relating to any matter within the jurisdiction of the Committee, with certain historical exceptions -- some of which are pointed out in the attached memorandum from the Attorney General. This Administration has been and will continue to be diligent in following this principle. However, it is essential to the successful working of our system that the persons entrusted with power in any one of the three great branches of Government shall not encroach upon the authority confided to the others. The ultimate responsibility for the conduct of the Executive Branch rests with the President.

Within this Constitutional framework each branch should cooperate fully with each other for the common good. However, throughout our history the President has withheld information whenever he found that what was sought was confidential or its disclosure would be incompatible with the public interest or jeopardize the safety of the Nation.

Because it is essential to efficient and effective administration that employees of the Executive Branch be in a position to be completely candid in advising with each other on official matters, and because it is not in the public interest that any of their conversations or communications, or any documents or reproductions, concerning such advice be disclosed, you will instruct employees of your Department that in all of their appearances before the Subcommittee of the Senate Committee on Government Operations regarding the inquiry now before it they are not to testify to any such conversations or communications or to produce any such documents or reproductions. This principle must be maintained regardless of who would be benefited by such disclosures.

I direct this action so as to maintain the proper separation of powers between the Executive and Legislative Branches of the Government in accordance with my responsibilities and duties under the Constitution. This separation is vital to preclude the exercise of arbitrary power by any branch of the Government.

By this action I am not in any way restricting the testimony of such witnesses as to what occurred regarding any matters where the communication was directly between any of the principals in the controversy within the Executive Branch on the one hand and a member of the Subcommittee or its staff on the other.

Sincerely,

/s/ Dwight D. Eisenhower

The Honorable
The Secretary of Defense
Washington, D. C.

MEMORANDUM

FOR: THE PRESIDENT
FROM: THE ATTORNEY GENERAL

One of the chief merits of the American system of written constitutional law is that all the powers entrusted to the government are divided into three great departments, the Executive, the Legislative, and the Judicial. It is essential to the successful working of this system that the persons entrusted with power in any one of these branches shall not be permitted to encroach upon the powers confided to the others, but that each shall be limited to the exercise of the powers appropriate to its own department and no other. The doctrine of separation of powers was adopted to preclude the exercise of arbitrary power and to save the people from autocracy.

This fundamental principle was fully recognized by our first President, George Washington, as early as 1796 when he said: "... it is essential to the due administration of the Government that the boundaries fixed by the Constitution between the different departments should be preserved ...". In his Farewell Address, President Washington again cautioned strongly against the danger of encroachment by one department into the domain of another as leading to despotism. This principle has received steadfast adherence throughout the many years of our history and growth. More than ever, it is our duty today to heed these words if our country is to retain its place as a leader among the free nations of the world.

For over 150 years - almost from the time that the American form of government was created by the adoption of the Constitution - our Presidents have established, by precedent, that they and members of their Cabinet and other heads of executive departments have an undoubted privilege and discretion to keep confidential, in the public interest, papers and information which require secrecy. American history abounds in countless illustrations of the refusal, on occasion, by the President and heads of departments to furnish papers to Congress, or its committees, for reasons of public policy. The messages of our past Presidents reveal that almost every one of them found it necessary to inform Congress of his constitutional duty to execute the office of President, and, in furtherance of that duty, to withhold information and papers for the public good.

Nor are the instances lacking where the aid of a court was sought in vain to obtain information or papers from a President and the heads of departments. Courts have uniformly held that the President and the heads of departments have an uncontrolled discretion to withhold the information and papers in the public interest; they will not interfere with the exercise of that discretion, and that Congress has not the power, as one of the three great branches of the Government, to subject the Executive Branch to its will any more than the Executive Branch may impose its unrestrained will upon the Congress.

President Washington's Administration

In March 1792, the House of Representatives passed the following resolution:

"Resolved, That a committee be appointed to inquire into the causes of the failure of the late expedition under Major General St. Clair; and that the said committee be empowered to call for such persons, papers, and records, as may be necessary to assist their inquiries." (3 Annals of Congress, p. 493)

This was the first time that a committee of Congress was appointed to look into a matter which involved the Executive Branch of the Government. The expedition of General St. Clair was under the direction of the Secretary of War. The expenditures connected therewith came under the Secretary of the Treasury. The House based its right to investigate on its control of the expenditures of public moneys. It appears that the Secretaries of War and the Treasury appeared before the committee. However when the committee was bold enough to ask the President for the papers pertaining to the General St. Clair campaign, President Washington called a meeting of his Cabinet. (Binkley, "President and Congress" pp. 40-41.)

Thomas Jefferson, as Secretary of State, reports what took place at that meeting. Besides Jefferson, Alexander Hamilton, Henry Knox, Secretary of War, and Edmond Randolph, the Attorney General, were present. The Committee had first written to Knox for the original letters, instructions, etc., to General St. Clair. President Washington stated that he had called his Cabinet members together, because it was the first example of a demand on the executive for papers, and he wished that so far as it should become a precedent, it should be rightly conducted. The President readily admitted that he did not doubt the propriety of what the House was doing, but he could conceive that there might be papers of so secret a nature, that they ought not to be given up. Washington and his Cabinet came to the unanimous conclusion:

"First, that the House was an inquest, and therefore might institute inquiries. Second, that it might call for papers generally. Third, that the Executive ought to communicate such papers as the public good would permit, and ought to refuse those, the disclosure of which would injure the public; consequently were to exercise a discretion. Fourth, that neither the committee nor House had a right to call on the Head of a Department, who and whose papers were under the President alone; but that the committee should instruct their chairman to move the House to address the President."

The precedent thus set by our first President and his Cabinet was followed in 1796, when President Washington was presented with a resolution of the House of Representatives which requested him to lay before the House a copy of the instructions to the Minister of the United States who negotiated the treaty with the King of Great Britain, together with the correspondence and documents relative to that treaty. Apparently it was necessary to implement the treaty with an appropriation which the House was called upon to vote. The House insisted on its right to the papers requested, as a condition to appropriating the required funds. ("President and Congress", Willfred E. Binkley (1947), p. 44)

President Washington's classic reply was, in part, as follows:

"I trust that no part of my conduct has ever indicated a disposition to withhold any information which the Constitution has enjoined upon the President as a duty to give, or which could be required of him by either House of Congress as a right; and with truth I affirm that it has been, as it will continue to be while I have the honor to preside in the Government, my constant endeavor to harmonize with the other branches thereof so far as the trust delegated to me by the people of the United States and my sense of the obligation it imposes to 'preserve, protect, and defend the Constitution' will permit." (Richardson's "Messages and Papers of the Presidents", Vol. 1, p. 194)

Washington then went on to discuss the secrecy required in negotiations with foreign governments, and cited that as a reason for vesting the power of making treaties in the President, with the advice and consent of the Senate. He felt that to admit the House of Representatives into the treaty making power, by reason of its constitutional duty to appropriate monies to carry out a treaty, would be to establish a dangerous precedent. He closed his message to the House as follows:

"As, therefore, it is perfectly clear to my understanding that the assent of the House of Representatives is not necessary to the validity of a treaty; . . . and as it is essential to the due administration of the Government that the boundaries fixed by the Constitution between the different departments should be preserved, a just regard to the Constitution and to the duty of my office, under all the circumstances of this case, forbids a compliance with your request." (Richardson's "Messages and Papers of the Presidents", Vol. 1, p. 196)

President Jefferson's Administration

In January 1807, Representative Randolph introduced a resolution, as follows:

"Resolved, That the President of the United States be, and he hereby is, requested to lay before this House any information in possession of the Executive, except such as he may deem the public welfare to require not to be disclosed, touching any illegal combination of private individuals against the peace and safety of the Union, or any military expedition planned by such individuals against the territories of any Power in amity with the United States; together with

Most Presidents Refused

Historians and legal specialists say that almost every President had occasion to refuse information to Congress. Herman Wolkison of the Department of Justice, a specialist in constitutional separation of powers, wrote an article, "Congressional Committee Demands for Executive Papers," published in the Federal Bar Journal April, 1949, that was included almost verbatim as the body of the Attorney General's memorandum. Mr. Wolkison's article included five other instances of Executive refusal that were not cited by the Attorney General in his memorandum (which is reprinted in the adjoining columns). Other sources of information on the separation of powers are

Investigative Power of Congress - Julia E. Johnsen
The People's Right to Know - Harold L. Cross
The Senate of the United States, Vol. II - George H. Haynes

the measures which the Executive has pursued and proposes to take for suppressing or defeating the same." (16 Annals of Congress (1806 - 1807), p. 336)

The resolution was overwhelmingly passed. The Burr conspiracy was then stirring the country. Jefferson had made it the object of a special message to Congress wherein he referred to a military expedition headed by Burr. Jefferson's reply to the resolution was a Message to the Senate and House of Representatives. Jefferson brought the Congress up to date on the news which he had been receiving concerning the illegal combination of private individuals against the peace and safety of the Union. He pointed out that he had recently received a mass of data, most of which had been obtained without the sanction of an oath so as to constitute formal and legal evidence. "It is chiefly in the form of letters, often containing such a mixture of rumors, conjectures, and suspicions as renders it difficult to sift out the real facts and unadvisable to hazard more than general outlines, strengthened by concurrent information or the particular credibility of the relator. In this state of the evidence, delivered sometimes, too, under the restriction of private confidence, neither safety nor justice will permit the exposing names, except that of the principal actor, whose guilt is placed beyond question." (Richardson's "Messages and Papers of the Presidents", Vol. 1, p. 412, dated January 22, 1807)

Similar actions by Presidents Jackson, Tyler, Buchanan and Grant

On February 10, 1835, President Jackson sent a message to the Senate wherein he declined to comply with the Senate's resolution requesting him to communicate copies of charges which had been made to the President against the official conduct of Gideon Fitz, late Surveyor-General, which caused his removal from office. The resolution stated that the information requested was necessary both in the action which it proposed to take on the nomination of a successor to Fitz, and in connection with the investigation which was then in progress by the Senate respecting the frauds in the sales of public lands.

The President declined to furnish the information. He stated that in his judgment the information related to subjects exclusively belonging to the executive department. The request therefore encroached on the constitutional powers of the executive.

The President's message referred to many previous similar requests, which he deemed unconstitutional demands by the Senate:

"Their continued repetition imposes on me, as the representative and trustee of the American people, the painful but imperative duty of resisting to the utmost any further encroachment on the rights of the Executive." (Ibid. p. 133)

The President next took up the fact that the Senate resolution had been passed in executive session, from which he was bound to presume that if the information requested by the resolution were communicated, it would be applied in secret session to the investigation of frauds in the sales of public lands. The President said that, if he were to furnish the information, the citizen whose conduct the Senate sought to impeach would lose one of his basic rights, namely - that of a public investigation in the presence of his accusers and of the witnesses against him. In addition, compliance with the resolution would subject the motives of the President, in the case of Mr. Fitz, to the review of the Senate when not sitting as judges on an impeachment; and even if such a consequence did not follow in the present case, the President feared that compliance by the Executive might thereafter be quoted as a precedent for similar and repeated applications.

"Such a result, if acquiesced in, would ultimately subject the independent constitutional action of the Executive in a matter of great national concern to the domination and control of the Senate; . . .

"I therefore decline a compliance with so much of the resolution of the Senate as requests 'copies of the charges, if any,' in relation to Mr. Fitz, and in doing so must be distinctly understood as neither affirming nor denying that any such charges were made; . . ." (Ibid. p. 134)

One of the best reasoned precedents of a President's refusal to permit the head of a department to disclose confidential information to the House of Representatives is President Tyler's refusal to communicate to the House of Representatives the reports relative to the affairs of the Cherokee Indians and to the frauds which were alleged to have been practiced upon them. A resolution of the House of Representatives had called upon the Secretary of War to communicate to the House the reports made to the Department of War by Lieutenant Colonel Hitchcock relative to the affairs of the Cherokee Indians together with all information communicated by him concerning the frauds he was charged to investigate; also all facts in the possession of the Executive relating to the subject. The Secretary of War consulted with the President and under the latter's direction informed the House that negotiations were then pending with the Indians for settlement of their claims; in the opinion of the President and the Department, therefore, publication of the report at that time would be inconsistent with the public interest. The Secretary of War further stated in his answer to the resolution that the report sought by the House, dealing with alleged frauds which Lieutenant Colonel Hitchcock was charged to investigate, contained information which was obtained by Colonel Hitchcock by ex parte inquiries of persons whose statements were without the sanction of an oath, and which the persons implicated had had no opportunity to contradict or explain. The Secretary of War expressed the opinion that to promulgate those statements at that time would be grossly unjust to those persons, and would defeat the object of the inquiry. He also remarked that the Department had not been given at that time sufficient opportunity to pursue the investigation, to call the parties affected for explanations, or to determine on the measures proper to be taken.

The answer of the Secretary of War was not satisfactory to the Committee on Indian Affairs of the House, which claimed the right to demand from the Executive and heads of departments such information as may be in their possession relating to subjects of the deliberations of the House.

President Tyler in a message dated January 31, 1843, vigorously asserted that the House of Representatives could not exercise a right to call upon the Executive for information, even though it related to a subject of the deliberations of the House, if, by so doing, it attempted to interfere with the discretion of the Executive.

The same course of action was taken by President James Buchanan in 1860 in resisting a resolution of the House to investigate whether the President or any other officer of the Government had, by money, patronage or other improper means sought to influence the action of Congress for or against the passage of any law relating to the rights of any state or territory (See Richardson, "Messages and Papers of the Presidents," Vol. 5, pp. 618-619).

In the administration of President Ulysses S. Grant the House requested the President to inform it whether any executive offices, acts, or duties, and if any, what, have been performed at a distance from the seat of government established by law. It appears that the purpose of this inquiry was to embarrass the President by reason of his having spent some of the hot months at Long Branch. President Grant replied that he failed to find in the Constitution the authority given to the House of Representatives, and that the inquiry had nothing to do with legislation (Richardson, "Messages and Papers of the Presidents," Vol. VII, pp. 362-363.)

President Cleveland's Administration

In 1886, during President Cleveland's administration, there was an extended discussion in the Senate with reference to its relations to the Executive caused by the refusal of the Attorney General to transmit to the Senate certain documents concerning the administration of the Office of the District Attorney for the Southern District of South Alabama, and suspension of George W. Durkin, the late incumbent. The majority of the Senate Committee on the Judiciary concluded it was entitled to know all that officially exists or takes place in any of the departments of Government and that neither the President nor the Head of a Department could withhold official facts and information as distinguished from private and unofficial papers.

In his reply President Cleveland disclaimed any intention to withhold official papers, but he denied that papers and documents inherently private

or confidential, addressed to the President or a head of a department, having reference to an act entirely executive such as the suspension of an official, were changed in their nature and became official when placed for convenience in the custody of a public department. (Richardson, "Messages and Papers of the Presidents," Vol. 8, pp. 378-379, 381).

Challenging the attitude that because the executive departments were created by Congress the latter had any supervisory power over them, President Cleveland declared (Eberling, Congressional Investigation, page 258):

"I do not suppose that the public offices of the United States are regulated or controlled in their relations to either House of Congress by the fact that they were created by laws enacted by themselves. It must be that these instrumentalities were created for the benefit of the people and to answer the general purposes of government under the Constitution and the laws, and that they are unencumbered by any lien in favor of either branch of Congress growing out of their construction, and unembarrassed by any obligation to the Senate as the price of their creation."

President Theodore Roosevelt's Administration

In 1909, during the administration of President Theodore Roosevelt, the question of the right of the President to exercise complete direction and control over heads of executive departments was raised again. At that time the Senate passed a resolution directing the Attorney General to inform the Senate whether certain legal proceedings had been instituted against the United States Steel Corporation, and if not, the reasons for its nonaction. Request was also made for any opinion of the Attorney General, if one was written. President Theodore Roosevelt replied refusing to honor this request upon the ground that "Heads of the Executive Departments are subject to the Constitution, and to the laws passed by the Congress in pursuance of the Constitution, and to the directions of the President of the United States, but to no other direction whatever," (Cong. Rec. v. 43, part 1, 60th Cong., 2d sess., pp. 527-528).

When the Senate was unable to get the documents from the Attorney General, it summoned Herbert K. Smith, the Head of the Bureau of Corporations, and requested the papers and documents on penalty of imprisonment for contempt. Mr. Smith reported the request to the President, who directed him to turn over to the President all the papers in the case "so that I could assist the Senate in the prosecution of its investigation." President Roosevelt then informed Senator Clark of the Judiciary Committee what had been done, that he had the papers and the only way the Senate could get them was through his impeachment. President Roosevelt also explained that some of the facts were given to the Government under the seal of secrecy and cannot be divulged, "and I will see to it that the word of this Government to the individual is kept sacred." (Corwin, "The President -- Office and Powers," pp. 281, 428; Abbott, "The Letters of Archie Butt, Personal Aide to President Roosevelt," pp. 305-306).

President Coolidge's Administration

In 1924, during the administration of President Coolidge, the latter objected to the action of a special investigating committee appointed by the Senate to investigate the Bureau of Internal Revenue. Request was made by the Committee for a list of the companies in which the Secretary of the Treasury was alleged to be interested for the purpose of investigating their tax returns. Calling this exercise of power an unwarranted intrusion, President Coolidge said:

"Whatever may be necessary for the information of the Senate or any of its committees in order to better enable them to perform their legislative or other constitutional functions ought always to be furnished willingly and expeditiously by any department. But it is recognized both by law and custom that there is certain confidential information which it would be detrimental to the public service to reveal." (68th Cong., 1st sess., Record, April 11, 1924, p. 6087)

President Hoover's Administration

A similar question arose in 1930 during the administration of President Hoover. Secretary of State Stimson refused to disclose to the Chairman of the Senate Foreign Relations Committee certain confidential telegrams and letters leading up to the London Conference and the London Treaty. The Committee asserted its right to have full and free access to all records touching the negotiations of the treaty, basing its right on the constitutional prerogative of the Senate in the treaty-making process. In his message to the Senate, President Hoover pointed out that there were a great many informal statements and reports which were given to the Government in confidence. The Executive was under a duty, in order to

maintain amicable relations with other nations, not to publicize all the negotiations and statements which went into the making of the treaty. He further declared that the Executive must not be guilty of a breach of trust, nor violate the invariable practice of nations. "In view of this, I believe that to further comply with the above resolution would be incompatible with the public interest." (S. Doc. No. 216, 71st Cong., Special sess., p. 2)

President Franklin D. Roosevelt's Administration

The position was followed during the administration of President Franklin D. Roosevelt. There were many instances in which the President and his Executive heads refused to make available certain information to Congress the disclosure of which was deemed to be confidential or contrary to the public interest. Merely a few need be cited.

1. Federal Bureau of Investigation records and reports were refused to Congressional committees, in the public interest. (40 Op. A.G. No. 8, April 30, 1941).
2. The Director of the Federal Bureau of Investigation refused to give testimony or to exhibit a copy of the President's directive requiring him, in the interests of national security, to refrain from testifying or from disclosing the contents of the Bureau's reports and activities. (Hearings, Vol. 2, House, 78th Cong. Select Committee to Investigate the Federal Communications Commission (1944) p. 2337).
3. Communications between the President and the heads of departments were held to be confidential and privileged and not subject to inquiry by a committee of one of the Houses of Congress. (Letter dated January 22, 1944, signed Francis Biddle, Attorney General to Select Committee, etc.)
4. The Director of the Bureau of the Budget refused to testify and to produce the bureau's files, pursuant to subpoena which had been served upon him, because the President had instructed him not to make public the records of the bureau due to their confidential nature. Public interest was again invoked to prevent disclosure. (Reliance placed on Attorney General's Opinion in 40 Op. A.G. No. 8, April 30, 1941)
5. The Secretaries of War and Navy were directed not to deliver documents which the committee had requested, on grounds of public interest. The Secretaries, in their own judgment, refused permission to army and navy officers to appear and testify because they felt that it would be contrary to the public interests. (Hearings, Select Committee to Investigate the Federal Communications Commission, Vol. 1, pp. 46, 48-68).

President Truman's Administration

During the Truman Administration also the President adhered to the traditional Executive view that the President's discretion must govern the surrender of Executive files. Some of the major incidents during the administration of President Truman in which information, records and files were denied to Congressional Committees were as follows:

| <u>Date</u> | <u>Type of Document Refused</u> |
|----------------|--|
| March 4, 1948 | FBI letter-report on Dr. Condon, Director of National Bureau of Standards, refused by Secretary of Commerce. |
| March 15, 1948 | President issued directive forbidding all Executive departments and agencies to furnish information or reports concerning loyalty of their employees to any court or committee of Congress, unless President approves. |
| March, 1948 | Dr. John R. Steelman, Confidential Adviser to the President, refused to appear before Com- |

Date

Type of Document Refused

| | |
|-------------------|---|
| August 5, 1948 | Attorney General wrote Senator Ferguson, Chairman of Senate Investigations Subcommittee, that he would not furnish letters, memoranda, and other notices which the Justice Department had furnished to other government agencies concerning W. W. Remington. |
| February 22, 1950 | Senate Res. 231 directing Senate Subcommittee to procure State Department loyalty files was met with President Truman's refusal, following vigorous opposition of J. Edgar Hoover. |
| March 27, 1950 | Attorney General and Director of FBI appeared before Senate Subcommittee. Mr. Hoover's historic statement of reasons for refusing to furnish raw files approved by Attorney General. |
| May 16, 1951 | General Bradley refused to divulge conversations between President and his advisers to combined Senate Foreign Relations and Armed Services Committees. |
| January 31, 1952 | President Truman directed Secretary of State to refuse to Senate Internal Security Subcommittee the reports and views of foreign service officers. |
| April 22, 1952 | Acting Attorney General Perlman laid down procedure for complying with requests for inspection of Department of Justice files by Committee on Judiciary: Requests on open cases would not be honored. Status report will be furnished. As to closed cases, files would be made available. All FBI reports and confidential information would not be made available. As to personnel files, they are never disclosed. |
| April 3, 1952 | President Truman instructed Secretary of State to withhold from Senate Appropriations Subcommittee files on loyalty and security investigations of employees--policy to apply to all Executive agencies. The names of individuals determined to be security risks would not be divulged. The voting record of members of an agency loyalty board would not be divulged. |

Thus, you can see that the Presidents of the United States have withheld information of Executive departments or agencies whenever it was found that the information sought was confidential or that its disclosure would be incompatible with the public interest or jeopardize the safety of the nation. The courts too have held that the question whether the production of the papers was contrary to the public interest, was a matter for the Executive to determine.

By keeping the lines which separate and divide the three great branches of our Government clearly defined, no one branch has been able to encroach upon the powers of the other.

Upon this firm principle our country's strength, liberty and democratic form of government will continue to endure.



Late developments of the week ending May 21, briefly reported on this page, will be covered in appropriate sections of the May 28 Weekly Report.

18-YEAR-OLD VOTE -- The Senate May 21 defeated a proposed Constitutional amendment to fix the minimum voting age at 18. Sen. William Langer (R N.D.) told the Senate that 18-year-olds ought to have the right to vote for or against lawmakers who pass on such issues as drafting them for military service. Sen. Richard B. Russell (D Ga.) and other Southern Senators bitterly opposed the change in the Constitution as an invasion of states' rights and an "implied insult" to governors and legislatures of the 48 states.

The 34 to 24 vote fell short of the two-thirds majority required for approval. Twenty four Democrats voted "nay"; 27 Republicans and seven Democrats voted for the proposal.

SOCIAL SECURITY -- The House Ways and Means Committee May 21 voted 17 to 7 to boost from \$3,600 to \$4,200 the maximum wage on which social security benefits and taxes are based. The change in the wage base would mean a \$12 annual increase in taxes for workers making as much as \$4,200. It also would hike monthly benefits by from \$5 to \$30 for some six million retired workers and their dependents or survivors now on the social security rolls. Benefits for those retiring in the future likewise would be increased.

HOUSING -- The Senate Banking and Currency Committee May 21, in a series of actions, voted to increase from \$16,000 to \$18,000 the maximum mortgage insurable by the Federal Housing Administration on one- and two-family homes. It also voted to raise the repayment period to 30 years on all new homes bought with FHA-insured mortgages.

ARMY-McCARTHY -- Democratic members of the Senate Permanent Investigations Subcommittee May 21 declined to permit counsel to examine their monitored phone transcripts unless an agreement is reached providing for public release of all relevant portions involving all seven Subcommittee members. The Republican members had consented only to examination by counsel. Acting Chairman Karl E. Mundt (R S.D.) said the Democrats' stand may preclude introduction of any phone transcripts in the probe of the Army's charges against Sen. Joseph R. McCarthy (R Wis.) and McCarthy's counter-charges.

MAY 21, 1951

late developments



late developments of the war against the Soviet Union, the Soviet Union is now in a position to launch a new offensive against the West.

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congressional quiz

1. Q--Do all three branches of the federal government carry on some of their business in secret?

A--Yes. Committees of Congress, for instance, often hold "executive" sessions behind closed doors (a recent Congressional Quarterly survey found that the press and public were barred from about 40 per cent of all committee meetings during the first four months of this year). President Eisenhower's order forbidding Defense officials to testify before the Senate Investigations Subcommittee about their conversations on the Army-McCarthy dispute was based on precedents set by at least 12 earlier Chief Executives who had refused to give Congress secret information it requested. The Supreme Court, too, deliberates in strict privacy on the cases it decides.

2. Q--When was the first time the Supreme Court declared a state law unconstitutional, as it recently did in the segregation cases?

A--In 1810, in the case of *Fletcher vs. Peck*. The legislature of Georgia had passed a law to sell tracts of her western lands. After the land had been sold, a new legislature annulled the earlier law on grounds that it was passed fraudulently. Chief Justice John Marshall's decision ruled the later act unconstitutional, because it violated the clause forbidding any state to interfere with a contract.

3. Q--I see that the Senate has voted in favor of amending the Constitution so the Supreme Court would always have exactly nine justices. Haven't there always been nine?

A--No, Congress changed the size of the Court several times during the first 80 years of the nation's history. Originally there were six justices, but the Court was reduced to five in 1801, increased to seven in 1807, to nine in 1837, to 10 in 1863, reduced to seven in 1866 and again increased to nine in 1869. Membership has remained at nine for the past 85 years.

4. Q--Since there was a change of administration last year, I suppose President Eisenhower made a lot of job appointments in 1953. Is that true?

A--Actually President Truman, who was Chief Executive for only 20 days in 1953, sent the Senate more civilian appointments than did Mr. Eisenhower during the remainder of the year, if postmasterships are excluded. In 1953 Mr. Truman nominated 777 persons, compared to Mr. Eisenhower's 762. However, most of the outgoing President's appointments were for non-political jobs -- such as surgeons in the Public Health Service. Between Jan. 20, 1953 and the end of

April 1954, Mr. Eisenhower had made 1,366 civilian appointments, not counting postmasters. Mr. Truman made 3,006 such appointments in 1948 and 2,644 in 1949.

5. Q--How many children go to public schools where the laws require racial segregation, which the Supreme Court now has ruled against?

A--More than 8 million white children and over 2½ million Negro children go to school in the 17 states (plus the District of Columbia) where state laws or constitutions have required segregation. They make up nearly 40 per cent of the national public school enrollment. In four other states local communities have decided whether they wish to segregate children of different races.

6. Q--What would happen to our trade agreements with other countries if Congress does not extend the reciprocal trade law before it expires?

A--The Trade Agreements Act, first passed in 1934, permits the President to make agreements with other countries, decreasing tariffs on goods entering the U.S. in exchange for similar concessions from the other nations. Last July Congress extended the law until this June 12. If it expires, existing agreements would remain in force, but no new ones could be negotiated.

7. Q--How many Senators and Representatives didn't have opponents in the 1952 general elections?

A--Five Senators and 93 Representatives were unopposed by candidates of the other major party -- though several had minor party opposition. The Senators were William F. Knowland (R Calif.), Spessard L. Holland (D Fla.), John C. Stennis (D Miss.), Price Daniel (D Tex.) and Harry F. Byrd (D Va.). Knowland and Daniel received both the Democratic and Republican nominations. On the House side, 81 Democrats (including 74 from Southern states) and 12 Republicans were without major party opposition.

8. Q--I've heard Congress is considering legislation to change the Pledge of Allegiance to the Flag. How does the new version go?

A--The Senate May 11 voted to add the words "under God" to the phrase "one nation, indivisible." The revised Pledge reads, "I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all." The legislation, in the form of a joint resolution, was sent to the House for its approval.

NOTE: CQ Weekly Report pages on which additional data may be found: (1) 482, (3) 612, (6) 345, 497.



the week in congress

(These stories are summarized from foregoing pages of the Weekly Report. For detail, check contents on front cover.)

FIRST MONEY BILL -- The House May 19 agreed to minor Senate amendments in a bill (HR 7893) to appropriate \$3,332,732,700 for the Treasury and Post Office Departments. The House action sent the measure -- first of the fiscal 1955 money bills to clear Congress -- to the White House.

INDEPENDENT OFFICES -- The Senate May 19 passed by voice vote a \$5,700,775,413 Independent Offices Appropriation bill for fiscal 1955. The measure went to conference for settling differences between the House and Senate versions.

TAX REVISION -- The Senate Finance Committee continued closed-door sessions on provisions of the House-passed omnibus tax revision bill. The Committee May 17 issued a statement announcing that agreement had been reached on portions of the House measure dealing with artists' and inventors' income; tax on life insurance; and capital gains. Differences from the House version were announced on clauses dealing with partnership tax rules and foreign incomes.

HOUSING -- The Senate Banking and Currency Committee May 18 began a series of closed-door sessions to consider a companion bill to House-passed legislation embodying most of the President's proposed housing program.

MCCARTHY-ARMY -- Hearings were temporarily halted May 17 after President Eisenhower refused to let Army Counselor John G. Adams testify about what occurred at a high-level conference Jan. 21 on what to do about Pvt. G. David Schine. After receiving copies of the President's order which said members of the Executive branch must be free to consult and advise without the prospect of public inquiry, the Subcommittee voted 4-3 to recess hearings until May 24. The Subcommittee voted May 19 to call Army Secretary Robert T. Stevens to the stand on May 24.

SCHOOL CONSTRUCTION -- The Education Subcommittee of the Senate Labor and Public Welfare Committee continued hearings on bills for federal aid to school construction. Subcommittee Chairman John Sherman Cooper (R Ky.) said May 19 he would "like to see" a bill providing a "practical amount rather than the ideal amount" of federal money for school construction.

FOUR-YEAR TERMS? -- The Constitutional Amendments Subcommittee of the Senate Judiciary Committee May 14 approved a resolution to amend the

STATUS OF MAJOR LEGISLATION

This chart traces through May 21, 1954 the advancement toward a final decision of these major legislative proposals:

| Bills | Reported In House | Passed House | Reported In Senate | Passed Senate | Enacted |
|------------------------|----------------------|-----------------|-----------------------|---------------------|---------|
| Appropriations: | | | | | |
| Treasury-Post Office | 2/16/54 | 2/18/54 | 5/10/54 | 5/13/54 | |
| State, Justice, Comm. | 2/25/54 | 3/5/54 | | | |
| Civil Functions | 3/11/54 | 3/16/54 | 5/19/54 | | |
| Independent Offices | 3/26/54 | 3/31/54 | 5/14/54 | 5/19/54 | |
| Interior | 4/1/54 | 4/6/54 | | | |
| Agriculture | 4/9/54 | 4/14/54 | | | |
| Defense | 4/26/54 | 4/29/54 | | | |
| Labor-HEW | | | | | |
| D. C. | | | | | |
| Legislative, Judicial | 5/19/54 | | | | |
| Mutual Security | | | | | |
| Hawaii Statehood | 3/3/53 | 3/10/53 | 1/27/54 | 4/1/54 | |
| Alaska Statehood | 6/26/53 | | 2/24/54 | 4/1/54 | |
| Cong.-Jud. Salaries | | | 5/12/53 | | |
| Witness Immunity | | | 4/20/53 | 7/9/53 | |
| Debt Limit Increase | 7/31/53 | 7/31/53 | | | |
| St. Lawrence Seaway | 2/19/54 | 5/6/54 | 6/16/53 | 1/20/54 | 5/13/54 |
| Bricker Amendment | | | 6/15/53 | Rejected 2/26/54 | |
| Korean Defense Pact | | | 1/21/54 | 1/26/54 | 2/5/54 |
| Excise Tax Reduction | 3/4/54 | 3/10/54 | 3/19/54 | 3/25/54 | 3/31/54 |
| Tax Revision | 3/9/54 | 3/18/54 | | | |
| Hospital Survey | 3/3/54 | 3/9/54 | | | |
| Highway Program | 3/4/54 | 3/8/54 | 3/25/54 | 4/7/54 | 5/6/54 |
| Housing Program | 3/28/54 | 4/2/54 | | | |
| Wiretapping | 4/1/54 | 4/8/54 | | | |
| Labor Act Changes | | | 4/15/54 | 5/7/54* | |
| Wool Bill | | | 3/4/54 | 4/27/54 | |

HOW MAJOR BILLS FARED -- House approval sent to the White House the Treasury-Post Office appropriation, first major fiscal 1955 fund bill to receive final action. The Senate passed the Independent Offices appropriation, and a Senate Committee approved Army Civil Functions funds. The House Appropriations Committee reported the Legislative-Judiciary appropriation.

*Recommitted.

Constitution to provide for a four-year term for Members of the House of Representatives.

TRADE ACT -- President Eisenhower May 20 indicated he would be satisfied with a one-year extension of the Trade Agreements Act, which expires June 12, although he had previously requested a three-year extension.

SEGREGATION -- In cases dealing with the public schools of four states and the District of Columbia, the Supreme Court ruled unanimously May 7 that segregation in public schools was unconstitutional. Reaction in the South varied from shocked indignation to a resigned willingness to comply with the Supreme Court interpretation.